













# LAWS

OF THE

# STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1917

LEGISLATURE CONVENED JANUARY 3, ADJOURNED APRIL 19, 1917



CONCORD, N. H.  
1917

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# STATE OFFICERS.

<i>Governor</i> .....	Henry W. Keyes.
<i>Councilors</i> .....	{ Miles W. Gray, Charles W. Varney, Moise Verrette, William D. Swart, Edward H. Carroll.*
<i>Adjutant-General</i> .....	Charles W. Howard.
<i>Agriculture, Commissioner of</i> .....	Andrew L. Felker.
<i>Arbitration and Conciliation, State Board of</i> .....	{ John H. Neal, George A. Tenney, Michael F. Connelly.
<i>Bank Commissioners, Board of</i> ....	{ James O. Lyford, Frederic S. Nutting, Guy H. Cutter.
<i>Charities and Correction, Secretary of State Board of</i> .....	William J. Ahern.
<i>Excise Commissioners, Board of</i> ...	{ Dwight Hall, Frank R. Ordway, Robert Jackson.
<i>Fish and Game Commissioner</i> .....	George A. McIntire.
<i>Forester, State</i> .....	Edgar C. Hirst.
<i>Forestry Commission</i> .....	{ Jason E. Tolles, George B. Leighton, W. Robinson Brown.
<i>Health, Secretary of State Board of</i> ....	Irving A. Watson.
<i>Highway Commissioner</i> .....	Frederic E. Everett.
<i>Institutions, Board of Trustees of State</i> .....	{ Benjamin W. Couch, Henry W. Boutwell, Edgar J. Knowlton, Marcel Theriault, John G. M. Glessner.
<i>Insurance Commissioner</i> .....	Robert J. Merrill.
<i>Labor Commissioner</i> .....	John S. B. Davie.
<i>Librarian, State</i> .....	Arthur H. Chase.
<i>Motor Vehicles, Commissioner of</i> .....	Olin H. Chase.

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\* Deceased.

<i>Public Instruction, Superintendent of..</i>	Henry C. Morrison.
<i>Deputies.....</i>	{ George H. Witcher, Harriet L. Huntress, Ernest L. Butterfield.
<i>Public Service Commission.....</i>	{ Edward C. Niles, Thomas W. D. Worthen, William T. Gunnison.
<i>Purchasing Agent.....</i>	Horatio K. Libbey.
<i>Secretary of State.....</i>	Edwin C. Bean.
<i>Deputy.....</i>	Hobart Pillsbury.
<i>Tax Commission, State.....</i>	{ Albert O. Brown, John T. Amey, William B. Fellows.
<i>Treasurer.....</i>	John Wesley Plummer.
<i>Deputy.....</i>	Henry M. Short.
<i>Weights and Measures, Commis- sioner of.....</i>	Harold A. Webster.

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SUPREME COURT.

<i>Chief Justice.....</i>	Frank N. Parsons.
<i>Associate Justices.....</i>	{ Reuben E. Walker, John E. Young, Robert J. Peaslee, William A. Plummer.
<i>Attorney-General.....</i>	James P. Tuttle.
<i>Assistant.....</i>	Joseph S. Matthews.
<i>Law Reporter.....</i>	Crawford D. Henning.
<i>Clerk of the Supreme Court.....</i>	Arthur H. Chase.

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SUPERIOR COURT.

<i>Chief Justice.....</i>	Robert N. Chamberlin.
<i>Associate Justices.....</i>	{ John Kivel, Oliver W. Branch, William H. Sawyer, John E. Allen.



# THE LEGISLATURE OF 1917.

## SENATE.

*President.*—Jesse M. Barton, Newport, r.  
*Clerk.*—Earle C. Gordon, Canaan, r.  
*Assistant Clerk.*—Thomas P. Cheney, 2d., Ashland, r.  
*Sergeant-at-Arms.*—William H. Knox, Madbury, r.  
*Messenger.*—Bernard B. Chase, Plymouth, r.  
*Doorkeeper.*—Clarence S. Forsaith, Manchester, r.

## SENATORS.

Daniel J. Daley, Berlin, d.	Marcel Theriault, Nashua, r.
Wilbur A. Marshall, Colebrook, d.	Fred M. Pettengill, Pembroke, d.
Alfred Stanley, Plymouth, r.	Nathaniel E. Martin, Concord, d.
Nathan O. Weeks, Wakefield, r.	William H. Maxwell, Manchester, r.
Joseph B. Perley, Enfield, r.	Fred O. Parnell, Manchester, r.
Fred S. Roberts, Laconia, r.	Michael F. Shea, Manchester, d.
Obe G. Morrison, Northfield, r.	Cyprien J. Belanger, Manchester, d.
Jesse M. Barton, Newport, r.	John H. Bates, Rochester, d.
Stillman H. Baker, Hillsborough, r.	George Ira Leighton, Dover, r.
Forrest W. Hall, Westmoreland, r.	Daniel M. Boyd, Londonderry, r.
Charles W. Fletcher, Rindge, r.	Clarence M. Collins, Danville, r.
Willis C. Hardy, Hollis, r.	Calvin Page, Portsmouth, d.

## HOUSE OF REPRESENTATIVES.

*Speaker.*—Arthur P. Morrill, Concord, r.  
*Clerk.*—Harrie M. Young, Manchester, r.  
*Assistant Clerk.*—Bernard W. Carey, Newport, r.  
*Sergeant-at-Arms.*—Walter J. A. Ward, Hillsborough, r.  
*Chaplain.*—Rev. Chellis V. Smith, Plaistow, r.  
*Doorkeeper.*—George Lawrence, Manchester, r.  
*Doorkeeper.*—Guy S. Neal, Acworth, r.  
*Doorkeeper.*—Harry J. A. Robinson, Dover, r.  
*Doorkeeper.*—William W. Pike, Northumberland, r.

## ROCKINGHAM COUNTY.

Atkinson, Herbert N. Sawyer, r.	Epping, George A. Gilmore, d.
Auburn, Willard H. Griffin, d.	Exeter, Samuel K. Bell, r.
Brentwood, Burton L. Smith, r.	Luke Leighton, r.
Candia, Benjamin F. Lang, d.	Edward E. Nowell, r.
Chester, George E. Gillingham, r.	Richard E. Shute, r.
Deerfield, Joseph W. Sanborn,* r.	Fremont, Joseph P. Bassett, r.
Derry, Warren P. Horne, d.	Greenland, Edward W. Holmes, r.
Myron Richardson, d.	Hampstead, Albion D. Emerson, r.
Benjamin F. Stackhouse, d.	Hampton, Edwin L. Batchelder, d.
Henry T. Wheeler, d.	Hampton Falls, William E. Walton, r.
East Kingston, Frank B. Tilton, d.	Kensington, Herman E. Brown, d.

\* Deceased.

## ROCKINGHAM COUNTY.—Continued.

*Kingston*, Frank W. Parker, r.  
*Londonderry*, Eugene O. Greeley, r.  
*Newcastle*, James W. Pridham, d.  
*Newmarket*, George M. Mathes, d.  
     Albert F. Priest, d.  
     Arthur L. Turcotte, d.  
*Newton*, Hayford Battles, r.  
*North Hampton*, Alfred L. Marston, d.  
*Northwood*, John G. Towle, r.  
*Nottingham*, Arthur W. McDaniel, r.  
*Plaistow*, Fred P. Hill, r.  
*Portsmouth*,  
     Ward 1, George H. Sanderson, r.  
     Lewis Soule, d.

Ward 2, John H. Bartlett, r.  
     John Pender, r.  
     George A. Wood, r.  
Ward 3, Daniel W. Badger, d.  
     William Casey, d.  
Ward 4, Edward S. Downs, r.  
Ward 5, Ralph C. Dickey, r.  
*Raymond*, George E. Dodge, d.  
*Rye*, Joseph W. Berry, r.  
*Salem*, Walter F. Haigh, r.  
     Fred C. Buxton, r.  
*Sandown*, George W. Dimmock, d.  
*Seabrook*, Lucien Wilbur Foote, d.  
*Stratham*, Joseph G. Barnard, d.  
*Windham*, Rufus H. Bailey, r.

## STRAFFORD COUNTY.

*Barrington*, Frank McDaniel, r.  
*Dover*,  
     Ward 1, Charles E. Wendell, r.  
     Martin P. Bennett, r.  
     Ward 2, Eugene B. Foss, r.  
     Eugene Smart, r.  
     John McFadyen, r.  
     Ward 3, Edwin M. Carr, r.  
     Edward Reilly, r.  
     Ward 4, Fred L. Morang, r.  
     James Marshall, r.  
     David C. McIntosh, r.  
     Ward 5, John H. Wesley, d.  
*Durham*, Fred E. Davis, d.  
*Farmington*, Edwin H. Thomas, r.  
     James W. Ham, r.  
*Lee*, Frank J. Davis, r.  
*Madbury*, Albert D. Emerson, d.  
*Milton*, Moses G. Chamberlain, r.

*Rochester*,  
     Ward 1, Wilbur F. Cole, r.  
     Ward 2, Edward L. Tebbetts, d.  
     Ward 3, Harry L. Meader, r.  
     Ward 4, Alcide Bilodeau, r.  
     Edward P. Maxfield, r.  
     Ward 5, Luther B. Sampson, r.  
     Ward 6, Roy C. Horne, r.  
     John M. Hubbard, r.  
*Rollinsford*, Cornelius E. Murphy, d.  
     James F. Philpott, d.  
*Somersworth*,  
     Ward 1, Archie L. Jacques, d.  
     Ward 2, John F. Lucey, d.  
     Ward 3, Laurent J. Gaudreau, d.  
     Ward 4, John J. McCarthy, d.  
     William Perron, d.  
     Ward 5, Peter M. Gagne, d.  
*Strafford*, John W. Cater, r.

## BELKNAP COUNTY.

*Alton*, William Rockwell Clough, r.  
*Barnstead*, George J. Whitney, r.  
*Belmont*, Jason H. Cotton, d.  
*Center Harbor*, Leonard B. Morrill, r.  
*Gilford*, Orman M. Sanborn, r.  
*Gilmanton*, Royal L. Page, r.  
*Laconia*,  
     Ward 1, John T. Dodge, d.  
     Ward 2, William B. Johnson, r.  
     Arthur W. Spring, r.  
     Ward 3, Thomas H. Lowe, r.

Ward 4, Edwin H. Shannon, r.  
     William F. Seaverns, r.  
Ward 5, Frank E. Pearson, r.  
     Archie B. Sanborn, r.  
Ward 6, George B. Munsey, r.  
     Simon A. Whitten, r.  
*Meredith*, Dudley Leavitt, r.  
*New Hampton*, Guy B. Torsey, d.  
*Sanbornton*, Robert M. Wright, r.  
*Tilton*, Herman Page, d.  
     Charles E. Tilton, d.



## CARROLL COUNTY.

*Bartlett*, Austin L. Stillings, d.  
*Conway*, Albert S. Pollard, r.  
     Charles E. Poole, r.  
     William R. Carter, d.  
*Eaton*, Fred E. White, r.  
*Effingham*, Edwin F. Leavitt, r.  
*Freedom*, Arthur P. Merrow, d.  
*Jackson*, Harry A. Thompson, r.  
*Madison*, Samuel J. Gilman, r.

*Moultonborough*, James E. French, r.  
*Ossipee*, Ervin W. Hodsdon, r.  
*Sandwich*, Harry Blanchard, d.  
*Tamworth*, Charles C. Smith, d.  
*Tuftonboro*, Willie W. Thomas, d.  
*Wakefield*, William N. Rogers, d.  
*Wolfeboro*, John Frank Goodwin, r.  
     Henry F. Libby, r.

## MERRIMACK COUNTY.

*Allenstown*, Fred S. Eastman, r.  
*Andover*, George E. Eastman, d.  
*Boscawen*, Guy H. Hubbard, r.  
*Bow*, Fred H. Clough, d.  
*Bradford*, Hugh Corrigan, d.  
*Canterbury*, Leroy A. Glines, r.  
*Chichester*, Marshall S. Sanborn, r.  
*Concord*,  
     *Ward 1*, Lawrence J. Keenan, d.  
     William F. Hoyt, d.  
     *Ward 2*, Frank P. Curtis, d.  
     *Ward 3*, Robert C. Murchie, d.  
     *Ward 4*, Ira Leon Evans, r.  
     Herbert H. Wright, r.  
     Eugene W. Leach, r.  
     *Ward 5*, Benjamin W. Couch, r.  
     Arthur P. Morrill, r.  
     *Ward 6*, Arthur E. Dole, r.  
     Clarence L. Clark, d.  
     Fred B. Taylor, d.  
     *Ward 7*, John G. Winant, r.  
     Walter H. Beane, r.  
     Julius Percy Holbrook, r.  
     *Ward 8*, William A. Lee, d.  
     *Ward 9*, William J. Ahern, d.  
     James J. Gannon, d.  
*Danbury*, Burt W. Dean, d.

*Dunbarton*, Abraham L. Burnham, r.  
*Epsom*, Benjamin M. Towle, r.  
*Franklin*,  
     *Ward 1*, Peter Dana, d.  
     *Ward 2*, Patrick J. Cunningham, d.  
     Maxime A. Proulx, d.  
     *Ward 3*, Walter F. Duffy, r.  
     Gilbert G. Fellows, d.  
*Henniker*, Harrie W. Balch, d.  
*Hill*, Alfred M. Kelley, r.  
*Hooksett*, Guy M. Lawrence, r.  
*Hopkinton*, Robert T. Gould, d.  
*Loudon*, Everett P. Jenkins, r.  
*Newbury*, Elwin C. Lear, r.  
*New London*, Elmer E. Adams, r.  
*Northfield*, Jeremiah E. Smith, r.  
*Pembroke*, Lawrence C. Bates, d.  
     Amedee Fremeau, d.  
     George F. Georgi, d.  
*Pittsfield*, Richard B. Bartlett, r.  
     Frank M. Cutler, d.  
*Salisbury*, Ned D. Sanborn, d.  
*Sutton*, Arthur E. Davis, d.  
*Warner*, Andrew J. Hook, r.  
*Webster*, James L. Colby, r.  
*Wilmot*, William A. Thompson, r.

## HILLSBOROUGH COUNTY.

*Amherst*, Jonathan S. Lewis, r.  
*Antrim*, Charles D. White, d.  
*Bedford*, William B. French, r.  
*Bennington*, Herbert A. Eaton, r.  
*Brookline*, Walter E. Corey, r.  
*Deering*, Harland C. Smith, d.  
*Francestown*, Edwin D. Stevens, r.  
*Goffstown*, Robert M. Gordon, r.  
     Lucian W. Bartlett, r.

*Greenfield*, Edwin C. Hopkins, d.  
*Greenville*, Louis O. Boisvert, d.  
*Hancock*, Clark S. Ellinwood, d.  
*Hillsborough*, John S. Childs, r.  
     Frank D. Gay, r.  
*Hollis*, Edwin H. Stratton, r.  
*Hudson*, Henry C. Brown, r.  
*Lyndeborough*, Charles H. Tarbell, r.

**HILLSBOROUGH COUNTY.—Continued.****Manchester,**

*Ward 1,* Bayard C. Ryder, r.  
Harry E. Cole, r.  
Robert E. Wheeler, r.

*Ward 2,* Henry W. Boutwell, r.  
Ralph E. Hall, r.  
Henry F. Berry, r.  
George Allen Putnam, r.

*Ward 3,* Tom W. Robinson, r.  
Eugene G. Libbey, r.  
William E. Smith, r.  
George E. Prime, r.  
John G. Crawford, r.  
Carl A. Peterson, r.

*Ward 4,* Clarence M. Woodbury, r.  
Henry B. Fairbanks, r.  
Frank A. Dockham, r.  
Frank H. Challis, r.  
Charles E. Crosby, r.

*Ward 5,* James H. Collins, d.  
Maurice J. Connor, d  
James L. Glynn, d  
Peter E. Harlan, d.  
Richard H. Horan, d.  
John F. Kelley, d.  
Daniel J. McCarthy, d.  
\* Patrick McGreevy, d.  
John Shaughnessy, d.

*Ward 6,* John H. Bartlett, r.  
Robert Bunton, r.  
Charles G. Dunnington, r.  
James M. Nelson, r.  
Arthur E. Wiggin, r.

*Ward 7,* John M. Ready, d.  
Michael T. Sullivan, d.  
Martin L. Mahoney, d.

*Ward 8,* Michael S. Donnelly, d.  
Albert J. Parent, d.  
John H. Rice, d.  
Thomas R. Stewart, d.

*Ward 9,* William B. McKay, r.  
James A. Sayers, r.  
Charles W. Bailey, r.  
William A. Burlingame, r.  
Samuel F. Davis, r.

*Ward 10,* Harry C. Jones, r.  
Charles A. Newell, r.  
Theodore Graf, r.

*Ward 11,* John L. Barry, d.  
George E. Roukey, d.  
Dennis F. Scannell, r.

*Ward 12,* Frank G. Lizotte, r.  
George Provost, r.  
Alphonse Grenier, r.  
Rene Janelle, d.

*Ward 13,* Treffe Raiche, r.  
Ferdinand Farley, r.  
Ubaldo Hebert, r.  
Charles Miville, r.  
Omer Janelle, d.

*Mason,* Hervey E. Whitaker, r.

*Merrimack,* John E. Haseltine, r.

*Milford,* Fred J. Kendall, r.

Joseph A. Mallalieu, r.

Pulaski R. Woodman, r.

*Mont Vernon,* Jay M. Gleason, r.

**Nashua,**

*Ward 1,* Herbert E. Kendall, r.  
Henry C. Shattuck, r.

*Ward 2,* Amos J. Wheeler, r.  
Robert A. French, r.

*Ward 3,* Joseph Pepin, d.  
Noe Richard, d.  
John B. Riendeau, d.

*Ward 4,* William E. Foisie, r.

*Ward 5,* Thomas McLaughlin, d.  
Michael P. Sullivan, d.

*Ward 6,* Matthew T. Sullivan, d.

*Ward 7,* Frank O. Morse, d.  
Thomas F. Mulvanity, d.  
Charles H. Powell, d.

*Ward 8,* Henry M. Burns, d.  
Bartholomew J. Hargraves, d.  
Irene D. Ravenelle, d.

*Ward 9,* Edward DeLacombe, d.  
Auguste Gaudreau, d.  
Joseph Larouche, d.  
George L. Soucy, d.

*New Boston,* Charles F. Marden, r.

*New Ipswich,* Phillip F. Gordon, r.

*Pelham,* Frank M. Woodbury, r.

*Peterborough,* Andrew J. Walbridge, r.  
James F. Brennan, d.

*Weare,* George H. Eastman, d.

*Wilton,* Stanley H. Abbot, r.

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\*Deceased.

## CHESHIRE COUNTY.

*Alstead*, Henry C. Metcalf, d.  
*Chesterfield*, Harold E. Randall, r.  
*Dublin*, Milton D. Mason, r.  
*Fitzwilliam*, Clarence M. Damon, r.  
*Gilsum*, Elmer D. Banks, d.  
*Harrisville*, Frank P. Symonds, r.  
*Hinsdale*, Orrin C. Robertson, d.  
*Jaffrey*, John G. Townsend, r.  
     Edward C. Boynton, d.

*Keene*,

*Ward 1*, Walter G. Perry, r.  
         William J. Callahan, r.

*Ward 2*, Jerry P. Wellman, r.  
         Charles Warren, d.

*Ward 3*, Frank Huntress, r.  
         Herman C. Rice, r.  
     *Ward 4*, William S. Tuttle, r.  
     *Ward 5*, Daniel M. Spaulding, r.  
*Marlborough*, John Kimball, r.  
*Marlow*, Warren M. Davis, r.  
*Richmond*, Albert B. Conway, r.  
*Rindge*, Harris H. Rice, r.  
*Swansey*, Frank S. Faulkner, d.  
*Troy*, George W. Mason, d.  
*Walpole*, William H. Lane, r.  
     George F. Landers, d.  
*Westmoreland*, Asa A. Whitman, r.  
*Winchester*, Franklin J. Willard, r.  
     Edward F. Qualters, d.

## SULLIVAN COUNTY.

*Acworth*, March Clark, d.  
*Charlestown*, William H. Gilson, r.  
*Claremont*, Edgar A. Noyes r.  
     Edward J. Rossiter, r.  
     Edwin A. Thomas, d.  
     Robert E. Gould, d.  
     Orra S. Bugbee, d.  
     Herbert C. Chandler, d.  
*Cornish*, William E. Beaman, r.  
*Croydon*, Dana S. Gross, r.  
*Goshen*, John S. Smart, r.

*Langdon*, Bayard T. Mousley, d.  
*Lempster*, Lucius H. Nichols, d.  
*Newport*, George A. Fairbanks, r.  
     Elmer E. Dodge, r.  
     Leroy C. Angell, r.  
*Plainfield*, Fred A. Rogers, r.  
*Springfield*, Carl B. Philbrick, r.  
*Sunapee*, George E. Gardner, d.  
*Unity*, Frank Reed, r.  
*Washington*, Wallace W. Dole, d.

## GRAFTON COUNTY.

*Alexandria*, Joel S. Gray, d.  
*Ashland*, Theron B. A. Baker, d.  
*Bath*, Chester Abbott, r.  
*Bethlehem*, Walter H. Clark, d.  
*Bristol*, John S. Conner, d.  
*Campton*, Samuel P. Robie, r.  
*Canaan*, William E. Shaw, r.  
*Enfield*, Stephen Laffee, r.  
*Franconia*, Fred G. Sanborn, d.  
*Grafton*, Alden H. Barney, r.  
*Groton*, George C. Goodboo, r.  
*Hanover*, Horace F. Hoyt, r.  
     Charles F. Emerson, r.  
*Haverhill*, Frank N. Keyser, r.  
     Luther C. Butler, r.  
     Henry S. Bailey, r.  
*Holderness*, Harold A. Webster, r.  
*Lebanon*, Horace French, r.  
     Eben S. Haskell, r.  
     Ralph F. Hough, r.

    Karl E. Allen, d.  
     Frank Collins, d.  
*Lincoln*, John Taylor Alton, r.  
*Lisbon*, Fred J. Moore, r.  
     Herbert B. Moulton, d.  
*Littleton*, Edward J. Cummings, d.  
     Harvey C. Kinne, d.  
     William I. Richardson, d.  
*Lyman*, William Birch, Jr., d.  
*Lyme*, George W. Barnes, r.  
*Orange*, Melvin B. Eastman, d.  
*Orford*, Harry E. Morrison, r.  
*Piermont*, Orlo B. Stanley, d.  
*Plymouth*, Ernest L. Bell, r.  
     Edward C. Brogan, d.  
*Rumney*, Daniel Kidder, d.  
*Thornton*, Frank L. Hazeltine, r.  
*Warren*, Charles F. Little, r.  
*Wentworth*, Frank C. Bradeen, d.  
*Woodstock*, Albert W. Sawyer, r.

## COOS COUNTY.

*Berlin,**Ward 1,* Joseph Aubin, d.

Waldo Babson, d.

Arthur P. Smyth, d.

*Ward 2,* Joseph W. Gonya, d.

George H. Gagne, d.

William G. Dupont, r.

*Ward 3,* Andrew P. Bergquist, r.

Paul W. Burbank, r.

Octave J. Lambert, r.

*Ward 4,* Arthur J. Letourneau, d.*Carroll,* Edward W. Burns, d.*Colebrook,* Guy B. Trask, r.

John H. Finley, r.

*Columbia,* William Gray, r.*Dalton,* Amos L. Brown, r.*Gorham,* Joseph O. George, d.

Bartholomew F. McHugh, d.

*Jefferson,* Richard B. Eastman, r.*Lancaster,* Fred C. Congdon, r.

Abner Bailey, r.

Daniel J. Truland, r.

*Milan,* Ruel A. Woods, r.*Northumberland,* Joseph P. Boucher, r.

James B. McFarland, r.

*Pittsburg,* Charles Merrill, r.*Randolph,* Vyron D. Lowe, r.*Shelburne,* Charles E. Philbrook, r.*Stark,* Ira N. Cole, d.*Stewartstown,* Levi Brooks, r.*Stratford,* William H. Kimball, d.*Whitefield,* Elbridge W. Snow, r.

# LAWS

OF THE

## STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1917.

### CHAPTER 1.

#### AN ACT TO ESTABLISH A NEW APPORTIONMENT FOR THE ASSESSMENT OF PUBLIC TAXES.

##### SECTION

1. New apportionment established.
2. To continue until another apportionment.

##### SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. That of every thousand dollars of public taxes here-  
after to be raised, the proportion which each town and place shall  
pay, and for which the treasurer of the state is hereby authorized  
to issue his warrant, shall be as follows, to wit:

Rockingham County, \$105.48.

Atkinson, eighty-six cents.....	\$0.86
Auburn, one dollar and sixty-six cents.....	1.66
Brentwood, ninety-seven cents.....	.97
Candia, one dollar and fifty-one cents.....	1.51
Chester, one dollar and sixty-six cents.....	1.66
Danville, sixty-five cents.....	.65
Deerfield, one dollar and fifty-nine cents.....	1.59



Derry, nine dollars and fifty-three cents.....	\$9.53
East Kingston, sixty-one cents.....	.61
Epping, two dollars and nine cents.....	2.09
Exeter, eleven dollars and twenty-six cents.....	11.26
Fremont, one dollar and sixteen cents.....	1.16
Greenland, one dollar and twenty cents.....	1.20
Hampstead, one dollar and twenty-one cents.....	1.21
Hampton, four dollars and ninety-three cents.....	4.93
Hampton Falls, one dollar and sixteen cents.....	1.16
Kensington, sixty-three cents.....	.63
Kingston, one dollar and forty cents.....	1.40
Londonderry, two dollars and sixty-one cents.....	2.61
Newcastle, one dollar.....	1.00
Newfields, sixty-four cents.....	.64
Newington, eighty-eight cents.....	.88
Newmarket, three dollars and ninety-five cents.....	3.95
Newton, one dollar and twelve cents.....	1.12
North Hampton, two dollars and ninety-six cents.....	2.96
Northwood, one dollar and sixty-four cents.....	1.64
Nottingham, one dollar and forty-seven cents.....	1.47
Plaistow, one dollar and fifty-four cents.....	1.54
Portsmouth, twenty-eight dollars and seventy-six cents..	28.76
Raymond, two dollars and thirteen cents.....	2.13
Rye, three dollars and seventy-three cents.....	3.73
Salem, four dollars and twenty-six cents.....	4.26
Sandown, forty-six cents.....	.46
Seabrook, ninety-eight cents.....	.98
South Hampton, forty-one cents.....	.41
Stratham, one dollar and fourteen cents.....	1.14
Windham, one dollar and seventy-two cents.....	1.72

Strafford County, \$79.31.

Barrington, one dollar and fifty-seven cents.....	\$1.57
Dover, twenty-nine dollars and twenty-six cents.....	29.26
Durham, one dollar and seventy-four cents.....	1.74
Farmington, four dollars and thirty-three cents.....	4.33
Lee, ninety-eight cents.....	.98
Madbury, eighty-four cents.....	.84
Middleton, twenty-six cents.....	.26
Milton, three dollars and eighty-six cents.....	3.86
New Durham, one dollar and two cents.....	1.02
Rochester, eighteen dollars and eighteen cents.....	18.18
Rollinsford, three dollars and twenty-three cents.....	3.23
Somersworth, twelve dollars and fifty-eight cents.....	12.58
Strafford, one dollar and forty-six cents.....	1.46

## Belknap County, \$50.88.

Alton, three dollars and thirty cents.....	\$3.30
Barnstead, two dollars and one cent .....	2.01
Belmont, two dollars and twenty cents.....	2.20
Center Harbor, one dollar and seventy-four cents.....	1.74
Gilford, two dollars and ten cents.....	2.10
Gilmanton, one dollar and fifty cents.....	1.50
Laconia, twenty-four dollars and sixty-one cents.....	24.61
Meredith, four dollars and nineteen cents.....	4.19
New Hampton, one dollar and forty-two cents.....	1.42
Sanbornton, one dollar and ninety-one cents.....	1.91
Tilton, five dollars and ninety cents.....	5.90

## Carroll County, \$34.98.

Albany, seventy-five cents.....	\$0.75
Bartlett, one dollar and fifty-two cents.....	1.52
Brookfield, fifty-two cents.....	.52
Chatham, forty-two cents.....	.42
Conway, six dollars and eleven cents.....	6.11
Eaton, forty-six cents.....	.46
Effingham, one dollar.....	1.00
Freedom, eighty-two cents.....	.82
Hart's Location, twenty-four cents.....	.24
Jackson, one dollar and seventeen cents.....	1.17
Madison, one dollar and four cents.....	1.04
Moultonborough, three dollars and thirty cents.....	3.30
Ossipee, two dollars and fifty-nine cents.....	2.59
Sandwich, two dollars and sixty-nine cents.....	2.69
Tamworth, two dollars and forty-eight cents.....	2.48
Tuftonborough, one dollar and fifty-four cents.....	1.54
Wakefield, three dollars and eighteen cents.....	3.18
Wolfeboro, five dollars and thirteen cents.....	5.13
Hale's Location, two cents.....	.02

## Merrimack County, \$131.62.

Allenstown, two dollars and twenty-six cents.....	\$2.26
Andover, two dollars and forty-four cents.....	2.44
Boscawen, two dollars and fourteen cents.....	2.14
Bow, two dollars and forty cents.....	2.40
Bradford, two dollars.....	2.00
Canterbury, one dollar and eighty-two cents.....	1.82
Chichester, one dollar and forty cents.....	1.40
Concord, sixty dollars and thirty-one cents.....	60.31
Danbury, one dollar and ten cents.....	1.10
Dunbarton, one dollar and fifteen cents.....	1.15

Epsom, one dollar and seventy-six cents.....	\$1.76
Franklin, thirteen dollars and eighty-five cents.....	13.85
Henniker, three dollars and fifteen cents.....	3.15
Hill, one dollar and twelve cents.....	1.12
Hooksett, three dollars and twenty-seven cents.....	3.27
Hopkinton, three dollars and seventy-six cents.....	3.76
Loudon, two dollars and seventeen cents.....	2.17
Newbury, two dollars and sixty cents.....	2.60
New London, two dollars and seventy-one cents.....	2.71
Northfield, three dollars and ten cents.....	3.10
Pembroke, four dollars and seventy cents.....	4.70
Pittsfield, four dollars and thirty cents.....	4.30
Salisbury, one dollar and four cents.....	1.04
Sutton, one dollar and forty-four cents.....	1.44
Warner, three dollars and thirty-nine cents.....	3.39
Webster, one dollar and thirty-four cents.....	1.34
Wilmot, ninety cents.....	.90

#### Hillsborough County, \$311.13.

Amherst, two dollars and sixty-one cents.....	\$2.61
Antrim, two dollars and sixty cents.....	2.60
Bedford, two dollars and seventy cents.....	2.70
Bennington, one dollar and ninety-one cents.....	1.91
Brookline, one dollar and five cents.....	1.05
Deering, seventy-four cents.....	.74
Francetown, one dollar and seven cents.....	1.07
Goffstown, five dollars and forty cents.....	5.40
Greenfield, one dollar and four cents.....	1.04
Greenville, two dollars and twenty cents.....	2.20
Hancock, one dollar and fifty-one cents.....	1.51
Hillsborough, four dollars and thirty-six cents.....	4.36
Hollis, one dollar and eighty-nine cents.....	1.89
Hudson, two dollars and sixty-eight cents.....	2.68
Litchfield, ninety-three cents.....	.93
Lyndeborough, one dollar.....	1.00
Manchester, one hundred and eighty-nine dollars and thirty-two cents.....	189.32
Mason, eighty cents.....	.80
Merrimack, three dollars and forty-four cents.....	3.44
Milford, eight dollars and two cents.....	8.02
Mont Vernon, one dollar and thirty cents.....	1.30
Nashua, fifty-three dollars and eighty-seven cents.....	53.87
New Boston, two dollars and sixty-six cents.....	2.66
New Ipswich, two dollars and eighteen cents.....	2.18
Pelham, one dollar and fifty-two cents.....	1.52

Peterborough, seven dollars and eight cents.....	\$7.08
Sharon, thirty-one cents.....	.31
Temple, sixty cents.....	.60
Weare, three dollars and one cent.....	3.01
Wilton, three dollars and twenty-three cents.....	3.23
Windsor, ten cents.....	.10

## Cheshire County, \$68.61.

Alstead, one dollar and forty-four cents.....	\$1.44
Chesterfield, one dollar and ninety-three cents.....	1.93
Dublin, three dollars and thirty-seven cents.....	3.37
Fitzwilliam, one dollar and eighty cents.....	1.80
Gilsum, fifty-five cents.....	.55
Harrisville, one dollar and thirty cents.....	1.30
Hinsdale, six dollars and sixty-eight cents.....	6.68
Jaffrey, four dollars and two cents.....	4.02
Keene, twenty-three dollars and eighty-six cents.....	23.86
Marlborough, one dollar and ninety-two cents.....	1.92
Marlow, sixty cents.....	.60
Nelson, fifty-eight cents.....	.58
Richmond, one dollar and sixteen cents.....	1.16
Rindge, one dollar and ninety-five cents.....	1.95
Roxbury, thirty cents.....	.30
Stoddard, sixty-five cents.....	.65
Sullivan, fifty cents.....	.50
Surry, fifty-one cents.....	.51
Swanzy, two dollars and sixty-seven cents.....	2.67
Troy, one dollar and ninety-one cents.....	1.91
Walpole, five dollars and thirty-nine cents.....	5.39
Westmoreland, one dollar and thirty-two cents.....	1.32
Winchester, four dollars and twenty cents.....	4.20

## Sullivan County, \$39.90.

Acworth, seventy cents.....	\$0.70
Charlestown, two dollars and sixty-eight cents.....	2.68
Claremont, sixteen dollars and fifteen cents.....	16.15
Cornish, two dollars and five cents.....	2.05
Croydon, ninety cents.....	.90
Goshen, forty-seven cents.....	.47
Grantham, sixty-two cents.....	.62
Langdon, forty-seven cents.....	.47
Lempster, fifty-three cents.....	.53
Newport, eight dollars and ten cents.....	8.10
Plainfield, one dollar and eighty cents.....	1.80

Springfield, ninety-five cents.....	\$0.95
Sunapee, three dollars and twelve cents.....	3.12
Unity, sixty-seven cents.....	.67
Washington, sixty-nine cents.....	.69

Grafton County, \$95.67.

Alexandria, eighty cents.....	\$0.80
Ashland, three dollars and twenty-one cents.....	3.21
Bath, one dollar and seventy-seven cents.....	1.77
Benton, thirty-seven cents.....	.37
Bethlehem, three dollars and fifty-nine cents.....	3.59
Bridgewater, sixty-five cents.....	.65
Bristol, three dollars and thirty-one cents.....	3.31
Campton, one dollar and seventy-six cents.....	1.76
Canaan, two dollars and sixty-two cents.....	2.62
Dorchester, forty-four cents.....	.44
Easton, forty-seven cents.....	.47
Ellsworth, twenty-three cents.....	.23
Enfield, two dollars and seventy-eight cents.....	2.78
Franconia, one dollar and ninety cents.....	1.90
Grafton, one dollar and forty-one cents.....	1.41
Groton, thirty-seven cents.....	.37
Hanover, seven dollars and forty-five cents.....	7.45
Haverhill, six dollars and fifty-three cents.....	6.53
Hebron, fifty-four cents.....	.54
Holderness, two dollars and fifty-six cents.....	2.56
Landaff, ninety cents.....	.90
Lebanon, eleven dollars and sixty-two cents.....	11.62
Lincoln, eight dollars and seventeen cents.....	8.17
Lisbon, five dollars and three cents.....	5.03
Littleton, seven dollars and eighty-six cents.....	7.86
Livermore, one dollar and fifteen cents.....	1.15
Lyman, fifty-seven cents.....	.57
Lyme, one dollar and ninety-three cents.....	1.93
Monroe, eighty-eight cents.....	.88
Orange, thirty-seven cents.....	.37
Orford, one dollar and thirty-eight cents.....	1.38
Piermont, one dollar and seventeen cents.....	1.17
Plymouth, five dollars and forty-five cents.....	5.45
Rumney, one dollar and sixty-five cents.....	1.65
Thornton, sixty-nine cents.....	.69
Warren, one dollar and nineteen cents.....	1.19
Waterville, eighty-nine cents.....	.89
Wentworth, ninety-seven cents.....	.97
Woodstock, one dollar and four cents.....	1.04



## Coos County, \$74.88.

Berlin, twenty-two dollars and thirty-six cents.....	\$22.36
Carroll, three dollars and fifty-seven cents.....	3.57
Clarksville, one dollar and twenty-five cents.....	1.25
Colebrook, three dollars and ninety-seven cents.....	3.97
Columbia, one dollar and fourteen cents.....	1.14
Dalton, sixty-one cents.....	.61
Dummer, eighty cents.....	.80
Errol, one dollar and sixty-seven cents.....	1.67
Gorham, eight dollars and fifteen cents.....	8.15
Jefferson, one dollar and ninety-four cents.....	1.94
Lancaster, six dollars and ninety-six cents.....	6.96
Milan, one dollar and sixty cents.....	1.60
Northumberland, four dollars and thirty-four cents....	4.34
Pittsburg, six dollars and thirty-eight cents.....	6.38
Randolph, fifty-eight cents.....	.58
Shelburne, one dollar and nine cents.....	1.09
Stark, ninety-four cents.....	.94
Stewartstown, one dollar and fifty-six cents.....	1.56
Stratford, two dollars and fifteen cents.....	2.15
Wentworth's Location, eighty-six cents.....	.86
Whitefield, two dollars and ninety-six cents.....	2.96

## Unincorporated Places in Coos County, \$7.54.

Bean's Grant, twenty-four cents.....	\$0.24
Bean's Purchase, five cents.....	.05
Cambridge, one dollar and thirty-two cents.....	1.32
Chandler's Purchase, eleven cents.....	.11
Crawford's Purchase, eighteen cents.....	.18
Cutt's Grant, eleven cents.....	.11
Dixville, one dollar and ninety-nine cents.....	1.99
Dix's Grant, forty-three cents.....	.43
Erving's Grant, eleven cents.....	.11
Gilmanton and Atkinson Academy Grant, thirty-eight cents.....	.38
Kilkenney, nine cents.....	.09
Millsfield, fifty-eight cents.....	.58
Odell, forty-nine cents.....	.49
Pinkham's Grant, two cents.....	.02
Sargent's Purchase, four cents.....	.04
Second College Grant, forty-nine cents.....	.49
Success, ninety-one cents.....	.91

To continue until  
another apportion-  
ment.

SECT. 2. The same shall be the proportion of assessment of all public taxes until a new apportionment shall be made and established, and the treasurer for the time being shall issue his warrant accordingly.

Takes effect on  
passage.

SECT. 3. This act shall take effect upon its passage.

[Approved January 30, 1917.]

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## CHAPTER 2.

### AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 10 OF SESSION LAWS OF 1913, RELATING TO COUNTY AGENTS.

#### SECTION

1. County convention may appropriate money for county agents and development of farming.

#### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

County convention  
may appropriate  
money for county  
agents and devel-  
opment of farm-  
ing.

SECTION 1. Amend section 1 of chapter 10 of the Laws of 1913 by striking out the words "not exceeding twelve hundred dollars" in the second line thereof; also by striking out the words "a" and "agent" in the third line thereof and inserting in place of the word "agent" the word agents so that said section as amended shall read as follows: SECTION 1. The convention of any county may raise and appropriate money annually for the purpose of securing county agents for the development of the farming industry in such county.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 7, 1917.]

## CHAPTER 3.

## AN ACT IN RELATION TO CONTRACTS FOR LABOR.

## SECTION

1. Leaving employment as lumberman or river driver, after receiving advancements, until value earned, prohibited. Penalty.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Whoever enters into an agreement to labor for another in any lumbering operation or in driving logs and in consideration thereof receives any advance of goods, money, or transportation, and without cause fails to enter into said employment as agreed, and labor for a sufficient length of time to reimburse his employer for said advances and expenses of transportation, shall be punished by fine of not exceeding ten dollars or by imprisonment not exceeding thirty days.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 9, 1917.]

## CHAPTER 4.

## AN ACT TO AMEND CHAPTER 176 OF THE LAWS OF 1913 RELATING TO EMBEZZLEMENT BY INSURANCE AGENTS.

## SECTION

1. What constitutes offense.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 1 of said chapter by striking out the figures "274" in line fifteen and inserting in place thereof the figures 273, so that said section as amended shall read as follows:

SECTION 1. Any money, substitute for money or thing of value whatsoever, received by any agent, solicitor or broker, as premium or return premium, on or under any policy of insurance or application therefor, shall be received by such agent, solicitor or broker in his fiduciary capacity and any agent, solicitor or broker who embezzles or fraudulently converts or appropriates to his own use, or, with intent to embezzle, takes, secretes or otherwise disposes of, or fraudulently withholds, appropriates, lends, invests or otherwise uses or applies any money, substitute for money or thing of value

received by him as premium or return premium on or under any policy of insurance or application therefor, contrary to the instructions or without the consent of the company, association or society, for or on account of which the same was received by him, shall be deemed guilty of embezzlement, and shall be punished as provided in section 17 of chapter 273 of the Public Statutes, irrespective of whether or not such agent, solicitor or broker, has, or claims to have, any commission or other interest in such money, substitute for money or thing of value.

Repealing clause; takes effect on passage. SECT. 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved February 13, 1917.]

CHAPTER 5.

AN ACT IN AMENDMENT OF CHAPTER 287 OF THE PUBLIC STATUTES RELATING TO FEES AND COSTS IN CERTAIN CASES.

SECTION	SECTION
1. Fees of recording officers in certain cases.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Fees of recording officers in certain cases. SECTION 1. Chapter 287 of the Public Statutes relating to fees and costs in certain cases is hereby amended by striking out the whole of section 26 and inserting the following, SECT. 26. Registers of deeds, town clerks, and all other recording and certifying officers, except as otherwise specially provided, shall be entitled to the following fees:

For recording or copying each page of two hundred and twenty-four words, twenty-five cents, *provided, however,* that if the deed or other paper contains the names of more than two parties thereto other than the husband or wife of the grantor or grantee, an additional fee of ten cents each shall be charged for indexing the names of additional grantors or grantees or other parties thereto.

For every certificate, eight cents.

For examining the records at the request of any person, for each hour spent therein, fifty cents.

For discharging a mortgage on the margin of record, twenty-five cents.

Takes effect on passage. SECT. 2. This act shall take effect upon its passage.

[Approved February 13, 1917.]

## CHAPTER 6.

AN ACT IN AMENDMENT OF SECTION 3 OF CHAPTER 55 OF THE PUBLIC STATUTES RELATING TO PERSONS AND PROPERTY LIABLE TO TAXATION.

## SECTION

1. Certain property taxable as real estate.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That section 3 of chapter 55 of the Public Statutes be amended by striking out in the first and second lines of said section the words "carding machines, factory buildings and," so that said section as amended shall read as follows: SECT. 3. Buildings, mills, machinery, wharves, ferries, toll-bridges, locks and canals, and aqueducts any portion of the water of which is sold or rented for pay, are taxable as real estate.

Certain property taxable as real estate.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 13, 1917.]

## CHAPTER 7.

AN ACT IN AMENDMENT OF SECTION 5, CHAPTER 166 OF THE PUBLIC STATUTES, RELATIVE TO BUILDING AND LOAN ASSOCIATIONS.

## SECTION

1. Capital stock of, unlimited in amount.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 5 of chapter 166 of the Public Statutes by striking out the words "not exceed at any one time one million dollars" after the words "corporation shall" and substitute in place thereof the words, be unlimited; so that said section shall read: SECT. 5. The capital stock of any such corporation shall be unlimited, and shall be divided into shares of the ultimate value of two hundred dollars each. The shares may be issued in quarterly, half-yearly, or yearly series, each series to consist of such number of shares as the members may determine, but no shares of a prior series shall be issued after the issue of a new series has been begun.

Capital stock of, unlimited in amount.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 16, 1917.]



CHAPTER 8.

AN ACT FOR THE ACCEPTANCE OF THE PROVISIONS OF THE FEDERAL  
AID ROAD ACT.

SECTION	SECTION
1. Provides surveys and estimates, by commissioner of state highways.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Provides surveys  
and estimates, by  
commissioner of  
state highways.

SECTION 1. The provisions of the act provided for in Senate Document 548, Public Law—No. 156—64th Congress (H. R. 7617), an act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes, are assented to and the state highway department through its commissioner is authorized to make the necessary surveys and estimates to carry out the provisions of said act.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1917.]

CHAPTER 9.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 25 OF THE PUBLIC  
STATUTES RELATING TO ELECTION OF COUNTY OFFICERS.

SECTION	SECTION
1. Solicitor in Merrimack County to take his office first of January.	2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Solicitor in Mer-  
rimack County to  
take his office first  
of January.

SECTION 1. There shall be chosen at each biennial election, by ballot, by the inhabitants of the several towns in each county qualified to vote for senators, a sheriff, a county solicitor, a county treasurer, a register of deeds, a register of probate, and three county commissioners, each of whom shall take his office on the first day of April next succeeding his election, and shall hold the same for two years and until his successor is chosen and qualified, except that the solicitor of Merrimack county shall take his office on the first day of January next succeeding his election.

Repealing clause;  
takes effect on  
passage.

SECT. 2. So much of section 1, chapter 25 of the Public Statutes, as is inconsistent herewith is hereby repealed and this act shall take effect upon its passage.

[Approved February 16, 1917.]

## CHAPTER 10.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 176 OF THE LAWS OF 1909, RELATING TO INSURANCE ON STATE BUILDINGS.

## SECTION

1. Elevator insurance permitted.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 1, chapter 176, Laws of 1909, by adding after the word "steam-boiler" in the fourth line, the words, and elevator, so that the same as amended shall read as follows:

SECTION 1. That the funds of the state or any department or institution thereof shall not be used for providing for insurance of property owned by the state against loss by fire or other casualty; *provided*, that steam-boiler and elevator insurance, in connection with inspection, may be provided in such cases as may be approved by the governor and council.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 16, 1917.]

## CHAPTER 11.

AN ACT PROVIDING FOR THE COMFORT AND HOURS OF WORK OF JURORS.

## SECTION

1. Jurors' quarters during deliberations.
2. Jurors to rest between midnight and 8 a. m.

## SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The county commissioners for each county shall furnish at least one room in each county court house where jury trials are held with twelve substantial and comfortable seats, and convenient desks, for the use of jurors when deliberating on civil and criminal cases.

SECT. 2. Jurors deliberating on any case shall not be required to continue such deliberations without sleep and rest later than twelve o'clock in the evening. At that hour, or earlier, under such safeguards and conditions as the court in each case may direct, they shall be afforded suitable and proper opportunity for sleep and

rest at the expense of the county for at least eight hours before taking up again their deliberations in the jury room.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 16, 1917.]

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CHAPTER 12.

AN ACT TO AMEND SECTION 17 OF CHAPTER 227 OF THE PUBLIC STATUTES RELATING TO IMPANELLING JURORS IN CIVIL CASES.

SECTION

1. Three peremptory challenges allowed.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Three peremptory challenges allowed.

SECTION 1. Amend section 17 of chapter 227 of the Public Statutes by striking out the whole of said section and by inserting in place thereof the following: SECT. 17. Each party in a civil cause is entitled to three peremptory challenges of jurors drawn for the trial. The peremptory challenges shall be exercised alternately beginning with the plaintiff. When the plaintiff and defendant have exhausted their challenges the court shall take unusual care and precaution that the jurors who take the places of the ones last challenged shall be wholly indifferent and impartial and reasonably satisfactory to both sides.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1917.]

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CHAPTER 13.

AN ACT IN RELATION TO DIVIDING GOODS AND CHATTELS AMONG HEIRS-AT-LAW AND BENEFICIARIES.\*

SECTION

1. Administrator to allow heirs to take at appraisal.

2. Executors to do the same as to goods not specifically bequeathed.

SECTION

3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Administrator to allow heirs to take at appraisal.

SECTION 1. When an administrator has in his possession any goods and chattels of an intestate estate he cannot acquire title to

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\* This act was later repealed, see ch. 183, *post*.

the same by taking them at the appraisal. If there is only one heir-at-law to such an estate, he shall first be offered such part or all of said goods and chattels as he desires at the appraised value of such goods and chattels desired by him. If there is more than one heir-at-law to such an estate, such administrator, upon request of any heir-at-law, shall first offer any part or all of such property for sale by competitive bidding between or among such heirs-at-law alone as at an auction, and sales shall be made to such heirs-at-law at such bidding *provided* the highest bid on each article is at least equal to the appraised value of that article.

SECT. 2. An executor or trustee who has for division goods and chattels of an estate not specifically bequeathed shall be guided in the same manner with reference thereto as is provided for administrators in section 1 of this act. Executors to do the same as to goods not specifically bequeathed.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; takes effect on passage.

[Approved February 16, 1917.]

## CHAPTER 14.

### AN ACT IN RELATION TO THE FEES OF WITNESSES IN ALL LEGAL PROCEEDINGS.

#### SECTION

1. Fee for attendance before justice and municipal courts, \$1 per day; before other courts, \$2; travel six cents per mile each way.

#### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend chapter 287 of the Public Statutes by striking out the whole of section 13, and inserting in place thereof the following: SECT. 13. The fees of witnesses shall be, for each day's attendance before a municipal or justice court, one dollar; for each day's attendance before the superior and probate courts, and all other legally constituted auditors, referees, magistrates, or officials having the power to summon witnesses, two dollars; for each mile's travel to and from the place of testifying, six cents. Fee for attendance before justice and municipal courts, \$1 per day; before other courts, \$2; travel six cents per mile each way.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; takes effect on passage.

[Approved February 16, 1917.]

CHAPTER 15.

AN ACT TO AMEND CHAPTER 6 OF THE LAWS OF 1915 WITH REFERENCE  
TO CHANGING THE NAME OF SPECTACLE POND IN THE TOWN OF  
SUNAPEE.

SECTION	SECTION
1. Pond is in Sunapee, not Newbury, as stated in former act.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Pond is in Sunapee, not Newbury, as stated in former act.

SECTION 1. Amend chapter 6, Laws of 1915, by striking out the word "Newbury" in section 1 and inserting the word Sunapee in place thereof, so that said section as amended shall read as follows: SECTION 1. The name of Spectacle Pond in the town of Sunapee is hereby changed to, and the name shall hereafter be known and called, Mountainview Lake.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1917.]

CHAPTER 16.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 96 OF THE SESSION  
LAWS OF 1901 ENTITLED, "AN ACT RELATING TO HIGH SCHOOLS,"  
AS AMENDED BY CHAPTER 118 OF THE SESSION LAWS OF 1903.

SECTION	SECTION
1. Towns not maintaining high school liable for tuition of pupils, up to \$55 per annum.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Towns not maintaining high school liable for tuition of pupils, up to \$55 per annum.

SECTION 1. Section 1 of chapter 96 of the session Laws of 1901 entitled, "An Act relating to high schools," as amended by chapter 118 of the session Laws of 1903. is hereby amended by striking out the word "forty" in the last line of the section and substituting fifty-five so that the section as amended shall read: SECTION 1. Any town not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardian resides in said town and who attends a high school or academy in the same or another town or city in this state, and the



parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend; *provided, however*, that no town shall be liable for tuition of a child in any school in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of textbooks, supplies and apparatus during the school year preceding, nor in any case shall the town be liable for tuition for any child in excess of fifty-five dollars per year.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved February 20, 1917.]

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## CHAPTER 17.

### AN ACT PROVIDING A SEAL FOR THE NEW HAMPSHIRE BOARD OF CONCILIATION AND ARBITRATION.

#### SECTION

1. Form of seal.

#### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The New Hampshire board of conciliation and arbitration shall have a seal which shall be like the present seal of the state, except that the device thereon shall be surrounded by the words N. H. State Board of Conciliation and Arbitration in place of the words "Sigillum Republicæ Neo Hantoniensis, 1784," surrounding the device of said seal of the state, which shall be affixed by the chairman of said board to all official papers issued by it.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved February 21, 1917.]

CHAPTER 18.

AN ACT GIVING CERTAIN POWER TO JUSTICES OF THE SUPERIOR COURT  
FOR THE HUMANE TREATMENT OF PRISONERS IN COUNTY JAILS OR  
HOUSES OF CORRECTION.

SECTION

1. Prisoner may be paroled temporarily  
in custody of officer.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Prisoner may be  
paroled tempora-  
rily in custody of  
officer.

SECTION 1. Any person confined in a county jail or house of correction may, under such precautions and for such time and purpose as any justice of the superior court may order, be temporarily taken by some regular or specially authorized officer from such jail or house of correction because of his own extremely critical illness, or the imminently approaching death of a member of his immediate family, or the funeral of a member of his immediate family, or for such imperative and extraordinary purpose as shall be deemed justifiable and humane by the justice of said court to whom application is made.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 21, 1917.]

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CHAPTER 19.

AN ACT RELATING TO PROPERTIES HELD FOR PUBLIC USE BY THE SOCIETY  
FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS.

SECTION

1. No liability for injuries to persons on  
paths, trails, bridges, etc., of the  
society.

SECTION

2. All income to be devoted to public  
purposes for which the society was  
organized.  
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

No liability for in-  
juries to persons  
on paths, trails,  
bridges etc., of the  
society.

SECTION 1. The Society for the Protection of New Hampshire Forests, being a corporation organized under the laws of this state for the purpose of encouraging the protection and preservation of forests and other natural resources of this state for the public benefit, and having in pursuance of its corporate purposes acquired several properties, including those known as Sunapee, Monadnock

and Lost River reservations, which it has made accessible for use by the public by the building of paths, trails, bridges, and other structures, is hereby exempted from all civil liability in any suit or action by or on behalf of any person injured or claiming to have been injured through the negligent act or omission of said society or of any officer, agent, or employee thereof in constructing or maintaining such paths, trails, bridges, or other structures upon any property now held or hereafter acquired by it for such purposes.

SECT. 2. Said society shall devote all the income received by it from the properties held by it to the maintenance, development, and extension of such properties and the fulfillment of the public purposes for which said society is organized.

All income to be devoted to public purposes for which the society was organized.

SECT. 3. This act shall take effect on its passage.

Takes effect on passage.

[Approved February 21, 1917.]

## CHAPTER 20.

### AN ACT TO AMEND CHAPTER 42 OF THE LAWS OF 1913 RELATING TO DOMESTIC LIFE INSURANCE COMPANIES.

#### SECTION

1. Commissioner to issue certificate, when.
2. Commissioner to hold deposit for security of policyholders.
3. Repealing uniform date for expiration of certificates of such companies.

#### SECTION

4. Brokers and agents doing business for such companies, to be qualified, appointed and licensed.
5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 2 of said chapter by striking out the whole of said section and inserting in place thereof the following:

Commissioner to issue certificate, when.

SECT. 2. No such certificate shall be issued to such a corporation organized on the mutual plan until at least five hundred persons have subscribed in the aggregate for at least five hundred thousand dollars of insurance upon their lives and shall each have paid in one full annual premium in cash upon the insurance applied for, nor until it shall have deposited with the insurance commissioner at least one hundred thousand dollars in the securities required by law.

SECT. 2. Amend section 4 of said chapter by striking out the last sentence thereof and inserting in place thereof the following: All funds and securities deposited with the insurance commissioner by any such company under the provisions of this act shall be held

Commissioner to hold deposit for security of policyholders.

by him in trust for the benefit and protection of and as security for all the policyholders of the company, so that said section as amended shall read as follows: SECT. 4. As soon as practicable after the filing of said annual statement the insurance commissioner shall proceed to ascertain the net cash value of each policy in force on the 31st day of December immediately preceding, upon the basis of the American Experience Table of Mortality and three and one-half per cent. interest, or Actuaries' Combined Experience Table of Mortality and like interest. For the purpose of making such valuation, the insurance commissioner may employ a competent actuary, who shall be paid by the company for which the services are rendered; but nothing herein shall prevent any company from making said valuation herein contemplated, which may be received by the insurance commissioner upon such proof as he may determine. Upon ascertaining in the manner above provided, the net cash value of all policies in force in any such company, the insurance commissioner shall notify said company of the amount thereof, and within ninety days after the date of such notification the officers of such company shall deposit with the insurance commissioner, for the security and benefit of its policyholders, an amount which, together with the sum already deposited with said officer, shall be not less than the amount of such ascertained valuation of all policies in force in the securities described in section 16 of this act, or in certificates of deposit in any solvent bank or trust company. But no such company shall be required to make such deposit until the cash value of the policies in force as ascertained by the insurance commissioner exceeds the amount deposited by said company under section 1 hereof. All funds and securities deposited with the insurance commissioner by any such company under the provisions of this act shall be held by him in trust for the benefit and protection of and as security for all the policyholders of the company.

Repealing uniform  
date for expiration  
of certificates of  
such companies.

SECT. 3. Amend section 5 of said chapter by striking out the proviso at the end thereof so that said section as amended shall read as follows: SECT. 5. On receipt of the deposit and statement from any company, as provided in the preceding sections, which shall be renewed annually, the insurance commissioner shall issue a certificate setting forth the corporate name of the company; its principal office; that it has fully complied with the provisions of this act; stating the amount deposited, and the net cash value of outstanding policies, and the table upon which same is computed, and that it is authorized to transact the business of life insurance.

Brokers and agents  
doing business for  
such companies, to  
be qualified, ap-  
pointed and li-  
censed.

SECT. 4. Amend section 22 of said chapter by striking out the whole of said section and inserting in place thereof the following: SECT. 22. No insurance shall be negotiated in this state by or on behalf of any such company except by agents or brokers who shall be qualified, appointed, and licensed in accordance with the law.

SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage. Repealing clause;  
takes effect on  
passage.

[Approved February 21, 1917.]

## CHAPTER 21.

### AN ACT TO AMEND CHAPTER 131 OF THE LAWS OF 1911 RELATING TO THE DUTIES OF THE STATE TREASURER.

#### SECTION

1. Insurance commissioner to receive deposits required from foreign companies.

#### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 1 of said chapter by striking out the words "state treasurer" in the seventh line thereof and substituting therefor the words insurance commissioner, so that said section as amended shall read as follows: SECTION 1. In all cases in which the laws of any other state of the United States now require and may hereafter require that the insurance companies incorporated by the laws of other states shall deposit with some officer of the state in which such insurance company is incorporated, stocks or other securities in trust or for the benefit of policyholders of such companies as a condition for doing business in such other states, the insurance commissioner shall receive from any insurance company incorporated under the laws of this state stocks or other securities, in such amount as may be required by the laws of such other state or states, on deposit in trust for the benefit of the policyholders of such company. Insurance com-  
missioner to re-  
ceive deposits re-  
quired from for-  
eign companies.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage. Repealing clause;  
takes effect on  
passage.

[Approved February 21, 1917.]



CHAPTER 22.

AN ACT TO AMEND CHAPTER 28 OF THE LAWS OF 1911 IN RELATION TO THE ESTABLISHMENT AND MAINTENANCE OF SAFETY FUNDS BY FIRE INSURANCE COMPANIES.

SECTION

- 1. Special reserve fund to be deposited with insurance commissioner.
- 2. Insurance commissioner to transfer reserve fund to company, when.

SECTION

- 3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Special reserve fund to be deposited with insurance commissioner.

SECTION 1. Amend section 8 of said chapter by striking out the words "state treasurer" in the fourth and fifth lines and substituting therefor the words insurance commissioner so that said section as amended shall read as follows: SECT. 8. Such special reserve fund shall be invested by such company in the same manner as its capital and surplus may be invested, and the securities shall be deposited from time to time, as the funds shall accumulate and be invested, with the insurance commissioner, who shall permit such company to change the securities so deposited by substituting for those withdrawn others of equal amount and value, and to collect and receive the interest or dividends upon such securities as the same shall accrue. Such special reserve fund shall be deemed a fund constituted by the stockholders to protect such company and its policyholders other than claimants for losses or otherwise already existing or then accrued, in case of any extraordinary conflagration or conflagrations, and shall not be regarded as any part or portion of the assets of such company so as to be or render the same liable for any claim for loss by fire or otherwise, except as herein provided.

Insurance commissioner to transfer reserve fund to company, when.

SECT. 2. Amend section 10 of said chapter by striking out the words "and the filing with him of a copy of such certificate, the state treasurer" in lines 27, 28, and 29, and substituting therefor the word he. Further amend said section by striking out the words "state treasurer" in line 43 and substituting therefor the words insurance commissioner, so that said section as amended shall read as follows: SECT. 10. Whenever the claims upon such company shall exceed the amount of its capital stock and of the guaranty surplus fund provided for by this act, such company shall notify the insurance commissioner of the fact, who shall then make or cause to be made an examination of such company, and shall issue his certificate of the result thereof, showing the amount of capital, of guaranty surplus fund, of special reserve fund, of reinsurance liability and of all other assets; and upon his issuing such certificate such special reserve fund shall be immediately held to protect all policyholders of said company other than such as are claimants upon it at the date of such certificate, and such special reserve fund,

together with other assets, certified by the insurance commissioner as equal in value to the amount of the unearned premiums of such company, to be ascertained as hereinbefore provided, shall constitute the capital and assets of such company for the protection of policyholders other than such claimants and for the further conduct of its business. Upon the payment to claimants who are such at the date of such certificate of the amounts to which they are respectively entitled, in proportion to their several claims, of the full sum of the capital of such company, of its guaranty surplus fund, and of its other assets, excepting only such special reserve fund and an amount equal to its liability for earned premiums as certified by the insurance commissioner, such company shall be forever discharged from any and all further liability to such claimants and to each of them. Upon the issue of such certificate by the insurance commissioner and upon the demand of such company he shall transfer to it all such securities as shall have been deposited with him by such company as such special reserve fund. If the amount of such special reserve fund be less than fifty per centum of the full amount of the capital of such company, a requisition shall be issued by the insurance commissioner upon the stockholders, to make up such capital to that proportion of its full amount; *provided* that any capital so impaired shall be made up at least to the sum of two hundred thousand dollars, and in case such company, after such requisition, shall fail to make up its capital at least to said sum of two hundred thousand dollars, as therein directed, such special reserve fund shall still be held as security and liable for any and all losses occurring upon policies of such company. *Provided, however*, that if any amount greater than a sum equal to one-half of its capital stock shall have been deposited by such company with the insurance commissioner under the provisions of this act, he shall retain of such securities an amount equal to one-half of what amount he shall so hold thereof in excess of a sum equal to one-half of such capital stock, and he shall transfer the balance thereof to such company as herein provided, and the amount so transferred to such company shall from the time of such transfer, *provided* the amount thereof shall not be less than two hundred thousand dollars, constitute the capital stock of such company for the further conduct of its business as hereinbefore provided, and the securities so retained shall be regarded as the special reserve fund of such company, to which additions may be made as herein provided, and shall be held in the same manner and for the same purpose and under the same conditions as the original special reserve fund of such company was held.

SECT. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause;  
takes effect on  
passage.

[Approved February 21, 1917.]

CHAPTER 23.

AN ACT TO AMEND CHAPTER 63 OF THE LAWS OF 1915 RELATING TO  
INSURANCE BROKERS.

SECTION

1. The term defined.

SECTION

2. Repealing clause; takes effect on  
passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

The term defined. SECTION 1. Amend section 4 by adding the following: The term broker in this act shall include any person, partnership, association or corporation, who shall act or aid in any manner in the negotiation of insurance effective in this state, or shall solicit or receive any risk or application for such insurance, in any company for which such person, partnership, association or corporation is not licensed as an insurance agent by the insurance commissioner of this state, or who shall receive money or value therefor, so that said section as amended shall read as follows: SECT. 4. No license under this act shall be required for salaried office clerks of insurance agents covering acts performed within the offices of such agents. The term broker in this act shall include any person, partnership, association or corporation, who shall act or aid in any manner in the negotiation of insurance effective in this state, or shall solicit or receive any risk or application for such insurance, in any company for which such person, partnership, association or corporation is not licensed as an insurance agent by the insurance commissioner of this state, or who shall receive money or value therefor.

Repealing clause; takes effect on passage. SECT. 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved February 21, 1917.]

## CHAPTER 24.

## AN ACT PROVIDING FOR THE FURTHER INSTRUCTION OF PUPILS IN RURAL SCHOOLS.

## SECTION

1. Privileges in districts not maintaining high school, to be extended two years beyond elementary course.

## SECTION

2. Power to suspend for misconduct retained.
3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. It shall be the duty of school boards in districts in which there is no high school to provide for the further instruction of pupils for a period not exceeding two school years for those who have completed the course of study prescribed for the elementary schools whenever such pupils or their parents or guardians desire such instruction. *Provided, however,* that nothing in this act shall be so construed as to prevent children whose parents or guardians reside in such districts from enjoying all the privileges of attendance at high schools or academies in other districts as provided by chapter 96 of the session Laws of 1901 and amendments thereto.

SECT. 2. Nothing in this act shall be so construed as to vitiate the power of a school board to dismiss a pupil from school for gross misconduct, or for neglect or refusal to conform to the rules of the school.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 21, 1917.]

## CHAPTER 25.

## AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 43 OF THE PUBLIC STATUTES, RELATING TO PUBLICATION OF VITAL STATISTICS IN TOWNS.

SECTION 1. Date for making return of vital statistics changed from March 1st to February 15th.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 4 of chapter 43 of the Public Statutes is hereby amended by striking out the words "first day of March" in the first and second lines thereof and inserting the words fifteenth

day of February, so that said section as amended shall read as follows: SECT. 4. Every town clerk shall annually, on or before the fifteenth day of February, furnish to the selectmen a transcript of his records of births, marriages, and deaths during the period prescribed by the registrar of vital statistics for the state, so that the same may be published with the reports of town officers.

[Approved February 22, 1917.]

CHAPTER 26.

AN ACT PROHIBITING THE DEPOSIT OF GLASS AND OTHER MATERIAL ON  
PUBLIC HIGHWAYS AND BATHING BEACHES.

SECTION	SECTION
1. Deposit in highway, etc., prohibited.	3. Takes effect on passage.
2. Penalty.	

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Deposit in high-  
way, etc., prohib-  
ited.

SECTION 1. No person shall throw or cause, suffer or allow to be thrown, placed or deposited any glass or fragments of glass, crockery or sharp metallic articles, such as tacks, brads, nails and spikes, on any public street or highway, or on a bathing beach or approaches to the same.

Penalty.

SECT. 2. Any person found guilty of violating any of the provisions of this act shall be punished by a fine not exceeding twenty dollars, or by imprisonment not exceeding thirty days, or both.

Takes effect on  
passage.

SECT. 3. This act shall take effect on its passage.

[Approved February 22, 1917.]



## CHAPTER 27.

AN ACT TO AMEND CHAPTER 94 OF THE LAWS OF 1915 [ENTITLED] AN  
ACT FOR THE RELIEF OF THE NEEDY BLIND.

## SECTION

1. Length of residence regulated, to entitle blind person to aid.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend said act by striking out section 2 and inserting the following: SECT. 2. In order to receive relief under these provisions, a needy blind person shall be a resident of the county for one year and of the state for five years.

Length of residence regulated, to entitle blind person to aid.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 22, 1917.]

## CHAPTER 28.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 46, LAWS OF 1897,  
RELATING TO ITINERANT VENDORS.

## SECTION

1. Term defined.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 1, chapter 46, Laws of 1897, by inserting after the word "merchandise" in the fifth line of said section the words from stock or by sample for future delivery, and by striking out beginning in the fourteenth line of said section the words "nor to *bona fide* sales by sample for future delivery," so that said section as amended shall read as follows: SECTION 1. For all purposes of this act the words "itinerant vendors" mean all persons, both principals and agents, who engage in a temporary or transient business in this state, either in one locality or traveling from place to place, selling goods, wares, and merchandise from stock or by sample for future delivery, and who, for the purpose of carrying on such business, hire or occupy any building or structure for the exhibition and sale of such goods, wares, and merchandise. No itinerant vendor shall be exempt from the provisions of this act by reason of associating himself temporarily with any local dealer, trader, or merchant, or by conducting such temporary or

Term defined.

transient business in connection with, or as a part of the business of, or in the name of any local dealer, trader, or merchant. The provisions of this act shall not apply to sales made to dealers by commercial travelers or selling agents, nor to hawkers or peddlers.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved February 22, 1917.]

CHAPTER 29.

AN ACT TO AMEND CHAPTER 5 OF THE PUBLIC STATUTES RELATING TO PUBLICATION AND DISTRIBUTION OF STATUTES, JOURNALS AND REPORTS.

SECTION

1. Repealing ch. 5, and amendments.
1. [Of new act.] Session Laws; copy furnished.
2. Arrangement.
3. Publication.
4. Paging.
5. Index.
6. Title pages, etc.
7. Free copies.
8. Distribution.
9. Distribution of United States Laws to towns and free libraries.
10. Daily journals; publication.
11. Session journals; copies furnished.
12. Arrangements.
13. Publication.
14. Certification.
15. Title pages, etc.
16. Distribution.

SECTION

17. Manual; publication.
18. Distribution.
19. Departmental and institutional reports; supervision.
20. Financial statements.
21. Annual and biennial.
22. Distribution.
23. Special reports.
24. Law reports; publication.
25. Sale of copyright.
26. Distribution.
27. State papers; governor and council to publish.
28. Distribution.
29. House and senate bills; printing.
30. G. A. R. printing.
2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Repealing ch. 5,  
and amendments.

SECTION 1. Chapter 5 of the Public Statutes and all acts amendatory thereto are hereby amended by striking out the whole of said chapter and acts and inserting in place thereof the following:

CHAPTER 5.

PUBLICATION AND DISTRIBUTION OF STATE PUBLICATIONS.

Session Laws.

Session Laws;  
copy furnished.

SECTION 1. (Copy Furnished.) The state reporter shall, within thirty days after the close of a session of the legislature, furnish the trustees of state institutions with a fair copy of the acts and

resolves of such session, with marginal abstracts and annotations, in form and style like the Public Statutes, together with an index of the subjects embraced therein.

SECT. 2. (Arrangement.) He shall arrange the public acts, Arrangement. joint resolutions, and private acts of each session under their appropriate classifications in the order of approval by the governor, and number them as chapters consecutively beginning with number one.

SECT. 3. (Publication.) The trustees of state institutions, Publication. immediately upon receipt of the copy from the state reporter shall cause to be printed and delivered to the secretary of state in the size, style and form of the session Laws of 1915, one thousand copies in pamphlet form and four hundred copies bound in law buckram.

SECT. 4. (Paging.) The trustees of state institutions shall Paging. carry forward consecutively from session to session the numbering of the pages of the acts and resolves until the number of the last page for a session is six hundred or more, when the laws of the next session shall begin a new volume, to be paged in like manner.

SECT. 5. (Index.) Whenever a volume of six hundred pages Index. or more of the acts and resolves is completed, as provided in the preceding section, the state reporter shall prepare and furnish to the trustees of state institutions a full and complete digested index of all the subjects embraced therein, like the index to the Public Statutes, and the trustees of state institutions shall cause the same to be printed at the end of the acts and resolves of the session completing the volume, paging it as a part thereof.

SECT. 6. (Title Pages, etc.) The title pages of the acts and re- Title pages, etc. solves shall state the date of convening and of final adjournment of the legislative session. The name of the state, with a designation of the session, shall be lettered on the backs of the volumes.

SECT. 7. (Free Copies.) Immediately upon the close of a ses- Free copies. sion the governor and council shall cause to be printed and distributed copies of the public acts and resolves in such manner as to them seems wise.

SECT. 8. (Distribution.) The secretary of state shall deposit Distribution. in his office three copies of the printed acts and resolves of each session, and shall forthwith send one copy to each of the following named officers and bodies: To the governor; to each member of the council, senate and house; to each department and institution of the state for their use; to each of the clerks of the senate and house; to each justice of the supreme and superior courts; to the clerk of the supreme court and each of the clerks of the superior court for the use of the court; to the clerk of each municipal court for the use of the court; to each judge of probate, register of probate, register of deeds, board of county commissioners, sheriff and solicitor; to each of the judges of the circuit court of the United States for the district of New Hampshire; to the clerk of said court for the use of the court; to each free public library established under the laws

of the state; to the town clerks of such towns as have no free public library for the use of the town; to the library of Congress and the department of justice of the United States; to the state or territorial library of each state and territory in the United States. He shall deposit the residue in the state library.

Distribution of  
United States  
Laws to towns  
and free libraries.

SECT. 9. (United States Laws.) The secretary of state shall send one copy of the laws of the United States which may come into his possession to each free public library in the state and to each town clerk of towns having no free public library.

#### Daily Journals.

Daily journals;  
publication.

SECT. 10. (Publication.) The clerks of the senate and house of representatives shall cause to be printed in pamphlet form at the close of each legislative day seven hundred and fifty copies of the journals of their respective bodies and shall cause copies thereof to be distributed to those bodies on the morning of the succeeding legislative day before the session begins. Fifty of said copies shall be delivered to the state library each day. For the purpose of carrying out the provisions of this section the clerks are empowered to procure such stenographic and other clerical assistance as the president of the senate and speaker of the house of representatives may determine to be necessary.

#### Session Journals.

Session journals;  
copies furnished.

SECT. 11. (Copies Furnished.) The clerks of the senate and house shall within thirty days after the close of each session prepare and deliver to the trustees of state institutions certified copies of their respective journals, together with marginal abstracts and a digested index of the contents thereof.

Arrangements.

SECT. 12. (Arrangement.) They shall arrange the contents in as few paragraphs as are consistent with good taste and a proper understanding of the contents. The yeas and nays shall be arranged in paragraphs, the yeas of each county forming a paragraph, and the nays the same.

Publication.

SECT. 13. (Publication.) The trustees of state institutions, immediately upon receipt of the copy from the clerks, shall cause to be printed and delivered to the secretary of state, in the size, style and form of the journals of 1915, eight hundred copies in pamphlet form and two hundred copies bound in law buckram.

Certification.

SECT. 14. (Certification.) The secretary of state, immediately upon the receipt of the printed journals, shall furnish copies of his journal to the clerk of each house, and the clerk shall attest the same in writing as a true copy and file the same within ten days in the office of the secretary of state.

Title pages, etc.

SECT. 15. (Title Pages, etc.) The title pages of the journals shall state the date of convening and of final adjournment of the



legislative session. The name of the state, with a designation of the session, shall be lettered on the back.

SECT. 16. (Distribution.) The secretary of state, upon receipt <sup>Distribution.</sup> of the printed journals, shall send one copy thereof to each of the following named officers and bodies: To the governor; to each member of the council, senate and house; to each department and institution of the state for their use; to each of the clerks of the senate and house; to each free public library established under the laws of the state; to the town clerks of such towns as have no free library for the use of the town; to the library of Congress and the department of justice of the United States; to the state or territorial library of each state and territory in the United States; to such publishers of newspapers, requesting the same, as keep a file open to public use. He shall deposit the residue in the state library.

### Manual.

SECT. 17. (Publication.) The secretary of state, under the di- <sup>Manual; publica-</sup> rection of the governor and council, shall prepare a manual for each session of the general court, containing such matter as they think will be useful to the members and state officers, and shall have twenty-five hundred copies of the same printed and ready for distribution as early in the session as practicable.

SECT. 18. (Distribution.) The secretary of state shall send one <sup>Distribution.</sup> copy thereof to each of the following named officers and bodies: To the governor; to each member of the council, senate and house; to each department and institution of the state for their use; to each of the clerks of the senate and house; to each free public library established under the laws of the state; to the town clerks of such towns as have no free public library for the use of the town; to the state or territorial library of each state and territory in the United States. The residue he shall distribute as to him seems wise.

### Departmental and Institutional Reports.

SECT. 19. (Supervision.) On or before October first of the year <sup>Departmental and</sup> of their date all departmental and institutional reports of the state <sup>institutional re-</sup> shall be submitted to the governor and council for approval, and <sup>ports; supervision.</sup> only such parts thereof shall be printed as the governor and council indicate. They shall designate the number of copies to be printed and the style of binding to be used, and may order any two or more reports dealing with related subjects to be bound together.

SECT. 20. (Financial Statements.) No departmental or insti- <sup>Financial state-</sup> tutional report shall contain statements in detail of expenses or <sup>ments.</sup> receipts, but the same shall be stated only by properly classified totals; *provided, however*, that all detailed statements of such ex-



penses and receipts shall be stated in the report of the state treasurer.

Annual and biennial.

SECT. 21. (Annual and Biennial.) The following departmental reports shall be issued annually and dated August 31 of each year: Secretary of state, state treasurer, bank commission, insurance commissioner, public service commission, tax commission, and excise commission. All other reports shall be issued biennially and dated August 31 of the year preceding sessions of the legislature.

Distribution.

SECT. 22. (Distribution.) Each department and institution shall send one copy of their report, as soon as printed, to the following officers and institutions: To the governor; to each member of the council, senate and house of representatives; to each free public library established under the laws of the state; to each state or territorial library of each state and territory in the United States. The residue they shall distribute as to them seems wise.

Special reports.

SECT. 23. (Special Reports.) The governor and council may authorize the publication of such special reports of state officers and state institutions as they may deem necessary.

### Law Reports.

Law reports; publication.

SECT. 24. (Publications.) The decisions of the supreme court shall be published in volumes entitled New Hampshire Reports. The size, style, and price of the volumes shall be prescribed by the justices of the court, but the price shall not exceed three dollars and fifty cents for a volume in size and style like the thirteenth volume of New Hampshire Reports. A proportionate increase in price may be made for all increase of matter.

Sale of copyright.

SECT. 25. (Sale of Copyright.) The state reporter shall dispose of the copyright of the New Hampshire Reports as he shall deem expedient, or otherwise provide for their publication, and shall pay into the state treasury the net proceeds thereof after deducting the reasonable and necessary expenses of publication and sale.

Distribution.

SECT. 26. (Distribution.) The secretary of state shall purchase four hundred copies of each volume of the New Hampshire Reports as they are published, and shall send one copy thereof to each of the following officers and bodies: To the justices and clerk of the supreme court; to the justices of the superior court; to the clerk of court of each county for use of the county; to the state reporter; to each free public library established under the laws of the state; to the town clerk of each town having no free public library for the use of the town; to the department of justice at Washington, the clerk of the supreme court of the United States and the library of Congress; to judges and clerk of the circuit court of the United States for the district of New Hampshire; to the state or territorial library of each state and territory in the United States. He shall deposit the residue in the state library.

## State Papers.

SECT. 27. (Authority.) The governor and council may author-<sup>State papers; gov-</sup>ize the secretary of state from time to time to collect, arrange,<sup>ernor and council</sup> transcribe, and publish such portions of the early state and pro-<sup>, to publish.</sup>vincial records and other state papers of New Hampshire as they shall deem proper. Eight hundred copies of each volume shall be printed.

SECT. 28. (Distribution.) On publication the secretary of state<sup>Distribution.</sup> shall send one copy to each of the following officers and bodies: To the governor and members of the council; to the judges of the supreme and superior courts; to each free public library in the state; to the town clerks of towns having no free public library for the use of the town; to such other officers and bodies as the governor and council shall designate. He shall send fifty copies to the New Hampshire Historical Society and deposit the residue in the state library.

## House and Senate Bills.

SECT. 29. (Printing.) The clerks of the house and senate shall<sup>House and senate</sup> cause to be printed seven hundred and fifty copies of every bill and<sup>bills: printing.</sup> joint resolution after its second reading and shall cause copies thereof to be distributed to those bodies as soon as expedient. Fifty of said copies shall be delivered to the state library.

## G. A. R. Printing.

SECT. 30. (Authority.) The secretary of state shall, upon re-<sup>G. A. R. printing.</sup>quest of the assistant adjutant-general of the Department of New Hampshire, Grand Army of the Republic, issue his written order to the trustees of state institutions to execute and furnish said department with such numbers of general orders, reports, circulars, and other printed matter as may be required from time to time, to an amount not exceeding three hundred dollars in any one year.

SECT. 2. All acts and parts of acts inconsistent with this act<sup>Repealing clause;</sup> are hereby repealed and this act shall take effect upon its passage.<sup>takes effect on</sup>  
<sup>passage.</sup>

[Approved February 27, 1917.]

## CHAPTER 30.

AN ACT TO AMEND CHAPTER 168 OF THE PUBLIC STATUTES RELATING  
TO INSURANCE COMPANIES AND AGENTS.

## SECTION

1. Liability of policyholder in mutual company.
2. Reserve fund.
3. Termination of policy by company.
4. Investments and deposits to be in name of company.

## SECTION

5. Directors of mutual company to fix dividends, and assessments, and classify risks.
6. Commissioner to examine domestic company, when.
7. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Liability of policyholder in mutual company.

SECTION 1. Amend section 2 of said chapter by striking out the word "such" in the first line thereof and inserting in place thereof the words mutual fire insurance, and by adding at the end of said section the following: but such contingent liability of a member shall not be less than an amount equal to and in addition to the cash premium written in his policy, so that said section as amended shall read as follows: SECT. 2. Any mutual fire insurance company organized under the laws of this state, which charges a full cash premium, may limit the liability of policyholders to assessment by a stipulation in the policy, which shall have the same effect as a deposit note signed by the insured, but such contingent liability of a member shall not be less than an amount equal to and in addition to the cash premium written in his policy.

Reserve fund.

SECT. 2. Amend section 5 by striking out the whole of said section and by inserting in place thereof the following: SECT. 5. Every insurance company, other than life, organized under the laws of this state, which charges a full cash premium shall hold as a reserve fifty per cent. of the premiums written on unexpired risks running one year or less from date of policy and a pro rata amount of all premiums written on unexpired risks running more than one year from date of policy; *provided* that such a company with respect to marine risks other than yearly risks and risks covering more than one passage not terminated, shall hold as a reserve the full amount of premiums written in its unexpired policies.

Termination of policy by company.

SECT. 3. Amend section 8 by adding at the end thereof the following: and by tendering to the insured under each policy a ratable proportion of the premium, so that said section as amended shall read as follows: SECT. 8. Any such company may terminate its policies by publishing a notice of the time when they will terminate, and by giving or mailing a like notice to each party insured, thirty days at least before the time fixed for such termination and by tendering to the insured under each policy a ratable proportion of the premium.

SECT. 4. Amend said chapter by inserting the following in place of section 9: SECT. 9. All investments and deposits of the funds of an insurance company organized under the laws of this state shall be made in its corporate name, and no director or other officer thereof, and no member of a committee having any authority in the investment or disposition of its funds, shall accept, or be the beneficiary of, either directly or indirectly, any fee, brokerage, commission, gift or other consideration for or on account of any loan, deposit, purchase, sale, payment or exchange made by or in behalf of such company, or be pecuniarily interested in any such purchase, sale or loan, either as borrower, principal, agent or beneficiary except that, if a policyholder, he shall be entitled to all the benefits accruing under the terms of his contract.

Investments and deposits to be in name of company.

SECT. 5. Amend said chapter by inserting the following in place of section 10: SECT. 10. From time to time the directors of a mutual insurance company organized under the laws of this state may, by vote, fix and determine the percentage of dividend or expiration return of premium to be paid on expiring policies, and may classify its risks as to dividends and assessments. But policies insuring risks in this state in the same classification shall have an equal rate of dividend and an equal rate of assessment.

Directors of mutual company to fix dividends, and assessments, and classify risks.

SECT. 6. Amend section 16 of said chapter by inserting after the word "company" in the second line the words at least once in every three years, and, so that said section shall read as follows: SECT. 16. The commissioner shall make a personal examination of the affairs of a domestic insurance company at least once in every three years, and whenever thereto requested in writing by five or more policyholders of the company, setting forth probable grounds for a belief that the company is insolvent or that there is gross waste, misconduct or negligence in the management of its affairs.

Commissioner to examine domestic company, when.

SECT. 7. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved February 27, 1917.]



CHAPTER 31.

AN ACT TO ENCOURAGE THE REFORM OF JUVENILE OFFENDERS.

SECTION

1. "Juvenile" defined.
2. Records of criminal proceedings to be kept separate.

SECTION

3. Records of criminal proceeding to be kept secret except in certain cases.
4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

"Juvenile" defined.

Records of criminal proceedings to be kept separate

Records of criminal proceeding to be kept secret except in certain cases.

SECTION 1. The word "juvenile" in this act shall mean any boy or girl under the age of seventeen years.

SECT. 2. The court records of criminal proceedings with reference to juveniles in all courts in this state shall be kept in separate books and files from all other court records.

SECT. 3. Neither the record of the arrest, trial or conviction of juvenile offenders, nor the fact of such arrest, trial or conviction, shall be admissible in evidence or in any way shown in any action or proceeding of a criminal or civil nature, except during the period for which said juvenile offender has been placed on probation by any court in the state or within two years after the discharge of any such juvenile offender from any institution to which he may have been committed by any court in the state; and every such record of proceedings heretofore or hereafter entered or kept as aforesaid against any such juvenile shall become a sealed record and no longer accessible to any person, and shall remain in the custody of the court wherein the same is of record, after the expiration of the period for which said juvenile has been placed on probation by any court, or the expiration of two years after the discharge of any such juvenile from an institution to which he may have been committed by any court, as the case may be, unless it shall be made to appear to said court that, prior to the expiration of said period of probation or the expiration of two years after the discharge of any such juvenile from any institution, as aforesaid, such juvenile shall have been convicted of an offense under the laws of this or any other state.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved February 27, 1917.]



## CHAPTER 32.

AN ACT IN AMENDMENT OF CHAPTER 164 OF THE LAWS OF 1911, SECTION 14 (E), AS AMENDED BY CHAPTER 145 OF THE LAWS OF 1913, SECTION 15, REGULATING THE ISSUE OF CAPITAL STOCK OF PUBLIC UTILITY CORPORATIONS.

## SECTION

1. New issue of common stock regulated.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 164 of the Laws of 1911, section 14 (e), as amended by chapter 145 of the Laws of 1913, section 15, is hereby amended by adding at the end of said section the following: Any public utility which has preferred stock outstanding may, by majority vote of the stockholders present and voting at a meeting duly called for the purpose, vote to offer a proposed new issue of its common stock proportionately to the holders of its common stock, unless the terms and conditions under which said preferred stock were issued entitle the holders thereof to participate in such new issue.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1917.]

## CHAPTER 33.

AN ACT IN AMENDMENT OF CHAPTER 184 OF THE PUBLIC STATUTES, SECTION 3, RELATING TO TIMES AND PLACES OF HOLDING COURTS OF PROBATE.

SECTION 1. Belknap County, second Tuesday of every month.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 184 of the Public Statutes is hereby amended by striking out the whole of section 3 of said chapter and inserting in place thereof the following: SECT. 3. For the county of Belknap, at Laconia, on the second Tuesday of every month.

[Approved February 27, 1917.]

CHAPTER 34.

AN ACT RELATING TO THE TERM OF OFFICE OF THE SOLICITOR OF COOS COUNTY.

SECTION

1. Solicitor to, assume office January first.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Solicitor to assume office January first.

SECTION 1. The county solicitor of Coos county shall hereafter take his office on the first day of January next succeeding his election and shall hold the same for two years and until his successor is chosen and qualified.

Repealing clause; takes effect on passage.

SECT. 2. So much of section 1, chapter 25 of the Public Statutes as is inconsistent herewith is hereby repealed and this act shall take effect upon its passage.

[Approved February 27, 1917.]

CHAPTER 35.

AN ACT IN AMENDMENT OF SECTION 5 OF CHAPTER 165 OF THE PUBLIC STATUTES, LIMITING THE EXPENSES OF SAVINGS BANKS.

SECTION

1. Salaries and expenses limited, how.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Salaries and expenses limited, how.

SECTION 1. That section 5 of chapter 165 of the Public Statutes be amended by substituting therefor the following: SECT. 5. The trustees shall annually establish the salary of the treasurer and of all other officers and employees of the bank. The total yearly expenses of the bank incurred by the trustees in its management, including salaries, shall not exceed three thousand dollars while the average amount of its deposits is five hundred thousand dollars or less; and in no case shall they exceed the sum produced by adding to three thousand dollars two-fifths of one per cent. of the excess of deposits up to two million dollars, and one-fifth of one per cent. of the excess of deposits above two million dollars.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 27, 1917.]

## CHAPTER 36.

AN ACT IN AMENDMENT OF SECTION 20 OF CHAPTER 165 OF THE PUBLIC STATUTES IN RELATION TO THE EXAMINATION OF SAVINGS BANKS BY TRUSTEES.

## SECTION

1. Examination by certified public accountant approved by the bank commissioners.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That section 20 of chapter 165 of the Public Statutes be amended by adding thereto the following: *Provided* that if the trustees shall employ a certified public accountant, approved by the board of bank commissioners, to make one examination each year, that examination and the publication of his report shall be in lieu of the semi-annual examinations of the trustees and the publication of their reports; *provided, however*, that nothing in this act shall relieve the trustees of any responsibility as such trustees, as now required of them by law, so that said section as amended shall read as follows:

Examination by certified public accountant approved by the bank commissioners.

SECT. 20. The trustees of every savings bank shall, in person or by a committee appointed from their board, make a thorough examination of the affairs of the bank once every six months, and shall make and transmit to the bank commissioners, upon blanks furnished by them for the purpose, a report of such examinations forthwith after they are made, and shall publish a copy of such report in some newspaper published in the place where the bank is located, or, if there be no newspaper there, in a newspaper published at the place nearest thereto, and shall forthwith transmit to the bank commissioners a copy of the newspaper containing such report. *Provided*, that if the trustees shall employ a certified public accountant, approved by the board of bank commissioners, to make one examination each year, that examination and the publication of his report shall be in lieu of the semi-annual examinations of the trustees and the publication of their reports; *provided, however*, that nothing in this act shall relieve the trustees of any responsibility as such trustees, as now required of them by law.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1917.]

## CHAPTER 37.

AN ACT TO EXEMPT FROM TAXATION PROPERTY IN JAFFREY AND DUBLIN TO BE HELD FOR THE PUBLIC GOOD BY THE SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS.

## SECTION

1. Certain real estate of, exempt from taxation.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Certain real estate of, exempt from taxation.

SECTION 1. That real estate in the towns of Jaffrey and Dublin, located on Monadnock mountain, that shall be held by the Society for the Protection of New Hampshire Forests, shall be exempt from taxation as long as maintained by said society open to the public.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 27, 1917.]

## CHAPTER 38.

AN ACT TO PROVIDE FOR THE RECOGNITION OF THE SERVICES OF THE NEW HAMPSHIRE NATIONAL GUARD ON THE MEXICAN BORDER, IN RESPONSE TO THE CALL OF PRESIDENT WILSON JUNE 18, 1916 AND TO RAISE MONEY FOR THE EXPENSE THEREOF.

## SECTION

1. Seven dollars per month to enlisted men, to be paid by state treasurer, and not subject to trustee process.  
2. \$100,000 to be raised as special state tax for the foregoing.

## SECTION

3. Governor and council authorized to borrow if need be.  
4. Governor authorized to draw warrant for payments.  
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Seven dollars per month to enlisted men, to be paid by state treasurer, and not subject to trustee process.

SECTION 1. In recognition of their services, the sum of seven dollars per month shall be paid, for each and every month of service, and a proportionate sum for each part of a month, to all enlisted men of the National Guard of New Hampshire mustered into the federal service in response to the call of President Wilson June 18th, 1916, who did service on the Mexican border, said service to date from mobilization at home stations or from date of enlistment subsequent to such mobilization to the date of honorable discharge, furlough to National Guard reserve, death, or mustering out of federal service.

No money provided for in this section shall be subject to trustee process, and the money paid to each soldier shall be paid direct to him or his legal representatives.

The state treasurer, with the advice and consent of the governor and council, shall have power to prescribe such regulations and forms, relating to the payment of the amount provided in section 1, as he may consider advisable.

SECT. 2. The sum of one hundred thousand dollars shall be raised for the use of the state as a special tax, for the year 1917, to meet the requirements of this act and the state treasurer is hereby authorized and directed seasonably to issue his warrants to the selectmen of the several towns and places and to the assessors of the several cities in the state, according to the apportionment of the public taxes in force made at the January session of the legislature of 1917, and the selectmen of such towns and places, and the assessors of such cities, are hereby directed to assess the sums specified in said warrants, and cause the same to be paid to said treasurer on or before the first day of December, 1917, and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the date last mentioned.

SECT. 3. Should the funds in the treasury not otherwise appropriated, be insufficient or not immediately available for the purposes of this act, the governor and council may, and are hereby authorized to borrow on the credit of the state, said sum or such part of the same as may be necessary, on short time notes payable not later than January 1, 1918.

SECT. 4. The governor is hereby authorized to draw his warrant for such sum or sums as may be necessary to carry out the provisions of this act.

SECT. 5. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1917.]

## CHAPTER 39.

AN ACT IN AMENDMENT OF CHAPTER 128, LAWS OF 1909, AS AMENDED BY CHAPTER 166, LAWS OF 1911, RELATING TO THE PAY AND EFFICIENCY OF FOREST FIRE EMPLOYEES.

### SECTION

1. Office of paid fire warden and deputies established.

### SECTION

2. Compensation of owner, fighting forest fire.
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 7 of chapter 128, Laws of 1909, as amended by chapter 166, Laws of 1911, is hereby amended by striking out the last sentence of said section after the words "forestry commis-

Office of paid fire warden and deputies established.



sion and state forester," and substituting therefor the following: Any regularly paid forest fire warden, deputy forest fire warden, lookout watchman or fire patrolman may be directed and used by the district chief or the state forester on any state or municipal forestry work or other public work when in the judgment of the state forester the safety of woodlands is not endangered thereby; so that said section 7 as amended shall read: SECT. 7. It shall be the duty of the forest fire warden and deputy fire warden to extinguish all brush and forest fires occurring in his town, and either of them may call such assistance as he deems necessary to assist him in so doing, and may require the use of wagons, tools, horses, etc., for that purpose, but such authority shall not interfere with the authority of chiefs of city fire departments. If any person fails to respond to the warden's call for his assistance or the use of his property, he shall be fined not exceeding ten dollars for each offense. Forest fire wardens and deputy forest fire wardens in towns and unincorporated places shall be allowed for their services such remuneration as may be fixed by the forestry commission and the state forester. Any regularly paid forest fire warden, deputy forest fire warden, lookout watchman or fire patrolman may be directed and used by the district chief or the state forester on any state or municipal forestry work or other public work when in the judgment of the state forester the safety of woodlands is not endangered thereby.

Compensation of  
owner, fighting  
forest fire.

SECT. 2. Section 8 of chapter 128, Laws of 1909, as amended by chapter 166, Laws of 1911, is hereby amended by striking out the whole of the said section and substituting therefor the following: SECT. 8. Owners of property required by the forest fire warden or deputy forest fire warden in the extinguishment of a forest or brush fire shall receive reasonable compensation therefor. In case the forest fire warden or deputy forest fire warden and the persons summoned to assist him or furnish the use of property shall fail to agree upon the terms of compensation, the dispute shall be referred to the district chief, the state forester or the forestry commission for settlement, and the decision of the commission shall be final.

Takes effect on  
passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 27, 1917.]

## CHAPTER 40.

AN ACT IN AMENDMENT OF CHAPTER 154 OF THE LAWS OF 1913, AS AMENDED BY CHAPTER 39 OF THE LAWS OF 1915, RELATING TO PAYMENT OF CERTAIN MONEYS INTO THE STATE TREASURY.

## SECTION

1. Funds derived from certain institutions to be for benefit of such.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 2, chapter 154 of the laws of 1913 as amended by chapter 39 of the Laws of 1915, by inserting after the word "hospital," the words the state prison, so that said section as amended shall read as follows: SECT. 2. Moneys received by the state treasurer as provided in section 1 shall be available for the general revenue of the state, except as otherwise specifically provided by law, and the full amount allowed for maintenance of each such institution and department shall be appropriated by each legislature for the biennial period next following: except that income from all sources except the state treasury derived by the state hospital, the state prison, the school for feeble-minded children, the industrial school, the state sanatorium, and the normal schools shall be available for the use of the institution at which it was derived, in addition to its general maintenance appropriation, to be paid out on the warrant of the governor.

Funds derived from certain institutions to be for benefit of such.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 1, 1917.]

## CHAPTER 41.

AN ACT IN AMENDMENT OF SECTION 3 OF CHAPTER 198 OF THE PUBLIC STATUTES RELATING TO TRUSTEES OF ESTATES.

## SECTION

1. No surety required on bond of corporation acting as trustee, unless probate court requires it.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 3 of chapter 198 of the Public Statutes is hereby amended by inserting after the word "of" in the first line of said section the words, a corporation organized under the laws

No surety required on bond of corporation acting as trustee, unless probate court requires it.

of the United States and having its principal place of business in this state or, so that said section 3 as amended shall read as follows:

SECT. 3. No sureties shall be required upon the bonds of a corporation organized under the laws of the United States and having its principal place of business in this state or of corporations organized under the laws of this state and authorized to act as trustees under judicial appointment, unless the judge of probate having jurisdiction of the trust shall deem sureties necessary, in which case he may require them.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 1, 1917.]

## CHAPTER 42.

### AN ACT PROVIDING FOR THE DISSOLUTION OF RELIGIOUS SOCIETIES.

#### SECTION

1. Two-thirds of qualified members may dissolve.
2. Vote not effective until society conveys its property.
3. Property to be conveyed to other specified religious society.

#### SECTION

4. Clerk to file certificate with secretary of state.
5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Two-thirds of  
qualified members  
may dissolve.

SECTION 1. Any religious society may, by vote of two-thirds of the qualified members present and voting at a meeting legally called for that purpose, dissolve its corporate existence.

Vote not effective  
until society con-  
veys its property.

SECT. 2. The dissolution of such religious society shall not be effective until such society shall have conveyed and transferred all its property in accordance with a vote as hereinafter provided.

Property to be  
conveyed to other  
specified religious  
society.

SECT. 3. Such religious society may, by a two-thirds vote at a meeting legally called for that purpose, vote to convey and transfer all of its right, title and interest in and to all of its property, real and personal, including property and funds held by it in trust, to either the local church organization with which such society is affiliated, or to the general state organization of churches with which such society is affiliated, or, if there be no state organization, to any general organization of churches with which such society is affiliated; *provided* always that the property so conveyed and transferred shall be held and administered upon the same trusts, terms

and conditions as it was held by the society making the conveyance or transfer. If money or other property shall be donated, devised or bequeathed to such religious society in trust for advancing its objects after its dissolution, the church or general body to which the said religious society conveyed and transferred its property prior to its dissolution becoming effective shall be entitled to receive and hold the said money or property, subject, however, to the terms, conditions and trusts imposed by the donor or testator.

SECT. 4. Upon completion of all of the conveyances and transfers herein provided for, the clerk of the dissolved religious society shall file in the office of the secretary of state a certificate setting forth the vote to dissolve and the fact that the conveyance and transfers have been made, to what church or organization they have been made, what property was conveyed and transferred and the date or dates when the several conveyances and transfers were made.

Clerk to file certificate with secretary of state.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved March 1, 1917.]

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CHAPTER 43.

AN ACT TO AMEND CHAPTER 78 OF THE LAWS OF 1913 RELATING TO THE LICENSING OF INSURANCE AGENTS.

SECTION

1. Commissioner to license agents, and limit authority.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend said chapter by inserting the following new section 2 and by renumbering the other sections accordingly: SECT. 2. The insurance commissioner is authorized, in his discretion, to issue insurance agents' licenses in which the authority of the agent is limited to the extent agreed upon with the company making application and set forth in the license.

Commissioner to license agents, and limit authority.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved March 7, 1917.]

## CHAPTER 44.

AN ACT IN AMENDMENT OF SECTION 16 OF CHAPTER 287 OF THE PUBLIC STATUTES RELATING TO THE FEES OF SHERIFFS FOR TRAVEL IN THE SERVICE OF PROCESS.

## SECTION

1. Fee of ten cents per mile each way, not exceeding fifty miles.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Fee of ten cents per mile each way, not exceeding fifty miles.

SECTION 1. Amend that part of section 16 of chapter 287 of the Public Statutes relating to the fees of sheriff for travel by striking out the words "six cents" as they appear therein and substituting therefor the words ten cents, so that as amended that part of said section shall read: For actual travel to serve any writ, notice, subpoena process, or execution, to be reckoned from the place of service to the residence of the officer, in no case exceeding fifty miles, and for travel to attend any court, by the order thereof, to be reckoned from the residence of the officer to the court, each mile, each way, ten cents.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1917.]

## CHAPTER 45.

AN ACT IN AMENDMENT OF CHAPTER 285 OF THE PUBLIC STATUTES RELATING TO THE STATE PRISON.

## SECTION

1. Employment of prisoners, and sale of prison product regulated.
2. Employment of prisoners outside the prison.

## SECTION

3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Employment of prisoners, and sale of prison product regulated.

SECTION 1. Subdivision VI of section 5 of chapter 285 of the Public Statutes is hereby amended by adding thereto the following: or to provide such other employment for the prisoners as they may deem desirable; to organize, conduct and manage such industries as in their judgment may be best adapted to the needs of the prison



and the prisoners; and to provide machinery, tools, materials, supplies and other instrumentalities useful therein. As far as may be practicable, they shall dispose of the products of every prison industry under their control and management to public institutions within the state; so that said subdivision as amended shall read as follows: VI. To make contracts, if expedient, for the support and employment of the prisoners or any portion of them; or to provide such other employment for the prisoners as they may deem desirable; to organize, conduct and manage such industries as in their judgment may be best adapted to the needs of the prison and the prisoners; and to provide machinery, tools, materials, supplies and other instrumentalities useful therein. As far as may be practicable, they shall dispose of the products of every prison industry under their control and management to public institutions within the state.

SECT. 2. Subdivision I of section 7 of said chapter 285 is hereby amended by adding thereto the following: He may employ convicts outside of the prison walls, upon terms to be prescribed by the board of trustees of state institutions. A prisoner, while so employed, or while going to or from the prison in connection with such employment, shall be deemed to be in prison as far as all laws relating to escape, attempts to escape and aiding escape are concerned; so that said subdivision as amended shall read as follows: I. To receive, safely keep, and employ in the prison all convicts pursuant to their sentence and until discharged according to law. He may employ convicts outside of the prison walls, upon terms to be prescribed by the board of trustees of state institutions. A prisoner, while so employed, or while going to or from the prison in connection with such employment, shall be deemed to be in prison as far as all laws relating to escape, attempts to escape and aiding escape are concerned.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Employment of  
prisoners outside  
the prison.

Repealing clause;  
takes effect on  
passage.

[Approved March 7, 1917.]

## CHAPTER 46.

AN ACT TO AMEND CHAPTER 81, LAWS OF 1895, ENTITLED, AS AMENDED BY CHAPTER 80, LAWS OF 1913, "AN ACT TO REGULATE THE BUSINESS OF ASSESSMENT CASUALTY INSURANCE."

## SECTION

1. Trust or reserve fund to be deposited with the insurance commissioner, instead of state treasurer.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Trust or reserve fund to be deposited with the insurance commissioner, instead of state treasurer.

SECTION 1. Amend section 2 of said chapter, as inserted therein by chapter 27, Laws of 1911, and as amended by chapter 80, Laws of 1913, by striking out the word "treasurer" in lines three and five and substituting therefor the words, insurance commissioner, so that said section as amended shall read as follows: SECT. 2. Of the trust fund or reserve required to be accumulated and maintained by the preceding section, such corporation shall deposit in trust with the insurance commissioner of this state before being licensed as aforesaid, and shall keep on deposit with such insurance commissioner securities at least equal in value to the amount which one assessment call upon its certificate or policyholders would produce: but the corporation shall have at all times, on approval of the insurance commissioner, the right to exchange any part of said securities for others of like amount and character. This section shall not apply to any corporation which produces evidence satisfactory to the insurance commissioner that it is required by the law of its home state or country to keep on deposit, and that it has deposited, securities to a like amount with the treasurer or other public fiscal officer of such state or country.

Repealing clause; takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 7, 1917.]

CHAPTER 47.

AN ACT TO AMEND CHAPTER 7 OF THE PUBLIC STATUTES RELATING TO  
THE STATE HOUSE AND GROUNDS.

SECTION

- 1. Repealing P. S., ch. 7, and amend-ments.
- 1. [Of new act.] The state house and grounds, custodians.
- 2. Superintendent—appointment.
- 3. Superintendent—removal.
- 4. Superintendent—salary.
- 5. Superintendent—duties.
- 6. Superintendent—assistants.
- 7. State library—care.
- 8. Rooms in state house.
- 9. Telephone service.
- 10. Freight and express.
- 11. Furniture.

SECTION

- 12. Repairs.
- 13. Care and maintenance.
- 14. Portraits, flags, busts and monu-ments.
- 15. Appropriations for maintenance and care.
- 16. Governor and council have general authority over state house privi-leges.
- 17. Rules and regulations.
- 18. Penalty.
- 2. Repealing clause; takes effect on pass-age.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Chapter 7 of the Public Statutes and all acts amend-  
atory thereto are hereby amended by striking out the whole of  
said chapter and acts and inserting in place thereof the following:

Repealing P. S.,  
ch. 7, and  
amendments.

CHAPTER 7.

The State House and Grounds.

SECTION 1. (Custodians.) The governor and council shall be  
the custodians of the state house and grounds.

The state house  
and grounds, cus-  
todians.

SECT. 2. (Superintendent—Appointment.) The governor with  
the advice of the council shall appoint a superintendent of the state  
house and grounds, who shall hold his office for two years and until  
his successor is appointed.

Superintendent—  
appointment.

SECT. 3. (Superintendent—Removal.) The governor, with the  
advice of the council, may remove the superintendent after proper  
cause shown at a hearing, duly notified, and may appoint a suc-  
cessor for the unexpired term.

Superintendent—  
removal.

SECT. 4. (Superintendent—Salary.) The salary of the superin-  
tendent shall be fixed by the governor and council.

Superintendent—  
salary.

SECT. 5. (Superintendent—Duties.) The superintendent shall,  
under the direction of the governor and council, have charge of all  
matters relating to the care, maintenance and repair of the state  
house and grounds.

Superintendent—  
duties.

SECT. 6. (Superintendent—Assistants.) The superintendent  
shall, under the direction of the governor and council, appoint such  
assistants as he may require, specify their work and fix their com-  
pensation.

Superintendent—  
assistants.

State library—  
care.

SECT. 7. (State Library—Care.) The governor and council and the trustees of the state library may make a contract for the joint care, maintenance and repair of the state house and grounds and the state library building and grounds. In case such contract is made the superintendent shall, under the direction of the trustees of the state library, have charge of all matters relating to the care, maintenance and repair of the state library building and grounds.

Rooms in state  
house.

SECT. 8. (Rooms in State House.) The governor and council shall assign the rooms in the state house to the different departments and may from time to time change such assignments as they deem best. They shall define the authority of the superintendent as their executive officer over said rooms.

Telephone service.

SECT. 9. (Telephone Service.) The superintendent, under the direction of the governor and council, shall establish a telephone exchange in the state house with connections to all departments in that and the state library building.

Freight and ex-  
press.

SECT. 10. (Freight and Express.) The superintendent, under the direction of the governor and council, shall establish rules and regulations for the receipt and despatch of all freight and express to and from the different departments in the state house.

Furniture.

SECT. 11. (Furniture.) All furniture bought for any of the departments shall be charged to the proper appropriation of that department and shall not be a charge upon any appropriation for the care, maintenance and repair of the state house.

Repairs.

SECT. 12. (Repairs.) Whenever there is need of immediate repair of any portion of the state house, the governor and council may direct the superintendent to proceed with the same, the amount expended to be as reasonable as the exigencies of the case allow.

Care and mainte-  
nance.

SECT. 13. (Care and Maintenance.) The superintendent, under the direction of the governor and council shall procure the labor and supplies necessary for the care, maintenance, and repair of the state house. He shall require competitive bids for labor when so directed by the governor and council, and shall make requisition on the purchasing agent for all supplies to be purchased.

Portraits, flags,  
busts and monu-  
ments.

SECT. 14. (Portraits, etc.) No portraits, busts, statues or other things of a memorial nature shall be placed in the state house or grounds without the express consent of the governor and council. They shall locate and care for all flags, portraits, busts, monuments, etc., which now are or may be hereafter placed in the state house and grounds.

Appropriations for  
maintenance and  
care.

SECT. 15. (Appropriations.) Appropriations for the state house and grounds shall be made under the following heads: State House—Salaries; State House—Fuel, Light and Power—Water; State House—Incidentals and Repairs; State House—Telephone Service. The governor and council may transfer funds not needed in an appropriation to another appropriation if they consider that the best interests of the service demand it.



SECT. 16. (General Authority.) Whenever questions arise as to the rights and privileges of any department in the state house the governor and council shall define such rights and privileges.

SECT. 17. (Rules and Regulations.) The superintendent, under the direction of the governor and council, shall establish rules and regulations for the use of the state house and grounds by the departments and the public and shall see that such rules and regulations are enforced.

SECT. 18. (Penalties.) If any person shall do any act to injure or deface the state house or grounds, shall use them for any other purpose than that for which they are intended or shall violate any of the rules and regulations established by the superintendent for their use, he shall be fined not exceeding twenty dollars.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect on its passage.

[Approved March 7, 1917.]

CHAPTER 48.

AN ACT IN AMENDMENT OF SECTION 6, CHAPTER 159 OF THE PUBLIC STATUTES, RELATING TO GRADE CROSSINGS.

SECTION	SECTION
1. Public service commission to regulate blowing of whistle and ringing of engine bell at railroad crossings.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 6, chapter 159 of the Public Statutes is hereby amended by striking out the words "board of railroad commissioners" in the sixth line thereof and inserting in their place the words public service commission, and by adding at the end of said section the following: and except, further, that the public service commission may, upon petition, authorize the whistle to be blown and the ringing of the bell to begin at a greater or less distance than eighty rods from a grade crossing over a highway whenever such change is for the public good and is not detrimental to public safety, so that said section as amended shall read as follows:

SECT. 6. Whenever a locomotive approaches within eighty rods of a grade crossing over a highway, two long and two short whistles immediately following each other shall be given, and the bell shall be rung until the locomotive has passed the crossing, except that



there shall be no whistling at those crossings in cities and villages where the public service commission, upon petition, have decided that whistling is not necessary, and except, further, that the public service commission may, upon petition, authorize the whistle to be blown and the ringing of the bell to begin at a greater or less distance than eighty rods from a grade crossing over a highway whenever such change is for the public good and is not detrimental to public safety.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1917.]

## CHAPTER 49.

AN ACT IN AMENDMENT OF SECTION 3, CHAPTER 29, LAWS OF 1893, AS AMENDED BY SECTION 1, CHAPTER 67, LAWS OF 1897, SECTION 1, CHAPTER 14, LAWS OF 1913, AND SECTION 1, CHAPTER 171, LAWS OF 1915, RELATING TO HIGHWAY AGENTS.

### SECTION

1. Highway agents to render statement of expenditures to the selectmen weekly.

### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Highway agents to render statement of expenditures to the selectmen weekly.

SECTION 1. Section 3, chapter 29, Laws of 1893, as amended by section 1, chapter 67, Laws of 1897, section 1, chapter 14, Laws of 1913, and section 1, chapter 171, Laws of 1915, is hereby amended by striking out the word "monthly" in the next to the last line of said section and inserting in place thereof the word, weekly, so that said section shall read as follows: SECT. 3. At the annual election, each town shall elect by ballot one or more, not exceeding three, highway agents, who, under the direction of the selectmen, shall have charge of the construction and repair of all highways and bridges within the town, and shall have authority to employ the necessary men and teams, and purchase timber, planks, and other material for construction and repair of highways and bridges, and they may remove gravel, rocks, or other materials from one part of the town to the other, doing no damage to adjoining land, for the purpose of grading or otherwise repairing the same. Or the town may vote at the annual election to instruct its selectmen to appoint an expert highway agent, who, under the direction of the selectmen, shall have the same power and perform the same duties as a

highway agent if elected by said town. Said agents shall be sworn to the faithful discharge of their duty, give bonds to the satisfaction of the selectmen, and be responsible to them for the expenditure of money and discharge of their duties generally. The compensation of said agents shall be fixed by the town or selectmen, and they shall render to the selectmen weekly statements of their expenditures and receive no money from the treasurer only on the order of the selectmen.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause;  
takes effect on  
passage.

[Approved March 7, 1917.]

CHAPTER 50.

AN ACT PROVIDING FOR THE EXAMINATION AND REGISTRATION OF  
ARBORISTS.

SECTION

- 1. State forester to hold examination for arborists.
- 2. Subjects included.
- 3. Qualifications of persons to be examined.

SECTION

- 4. State forester to issue certificates as registered arborists.
- 5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. The state forester, with the approval of the forestry commission, may hold examinations for arborists at such times as in his judgment seem advisable. The time and place of holding such examinations shall be set forth by posting, letter or newspaper notice at least thirty (30) days prior to the date thereof.

State forester to  
hold examination  
for arborists.

SECT. 2. The questions asked in such examinations shall be such as aim to inform the state forester of the special knowledge and fitness for the planting, improvement and care of trees possessed by persons taking any such examination. In preparing such examinations the state forester may include questions on diseases and insect enemies of trees, and upon request the state department of agriculture or the agricultural experiment station shall furnish information on which such questions may be based.

Subjects included.

SECT. 3. No individual shall be eligible to take such examination unless such person has had special training or experience in the planting, improvement and care of trees and not until six months of actual experience in the practice of such work has been completed.

Qualifications of  
persons to be ex-  
amined.

State forester to  
issue certificates  
as registered ar-  
borists.

SECT. 4. Any person who passes such examination to the satisfaction of the state forester shall be furnished with a certificate signed by the state forester stating that such person is a registered arborist, for such term or period as the state forester may determine. It shall be a misdemeanor punishable by a fine of not over fifty dollars for any other person to use the term registered arborist, as applying to his own name, in signatures or advertisements. Such certificates may be revoked by the state forester upon complaint and after a duly appointed hearing.

Takes effect on  
passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 7, 1917.]

CHAPTER 51.

AN ACT WITH REFERENCE TO THE SERVICE OF PROCESS.

SECTION

1. Process may be served on sheriff of one county by sheriff of another, or by his own deputy; and sheriff may serve process on his own deputy.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Process may be  
served on sheriff  
of one county by  
sheriff of another,  
or by his own dep-  
uty; and sheriff  
may serve process  
on his own deputy.

SECTION 1. Amend section 4 of chapter 212 of the Public Statutes, as amended by section 2 of chapter 52 of the Laws of 1905, by striking out the whole of said section and substituting in place thereof the following: SECT. 4. When the sheriff is a party or related to either party or interested in the suit, bill in equity or other process, the writ or other process in such action may be served by the sheriff or deputy sheriff of any other county or by a deputy of the sheriff of his own county; and the sheriff may serve writs or other process upon his own deputies, and the official bond of the sheriff's deputies shall protect him, the same as in other cases where he is not a party, and the bond of the sheriff shall protect his deputies on whom he may serve process.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 7, 1917.]

CHAPTER 52.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 120 OF THE LAWS OF  
1909 RELATIVE TO SENTENCES TO THE STATE PRISON.

SECTION

1. Governor and council may deduct three days per month for good behavior.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 2, chapter 120 of the Laws of 1909 by adding at the end thereof, the following: In cases of exceptionally meritorious conduct, the governor and council may in like manner issue such permit at a time in advance of the expiration of the minimum term of sentence to be computed by deducting therefrom not more than three days for each month of such minimum term of sentence.

Governor and council may deduct three days per month for good behavior.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 7, 1917.]

CHAPTER 53.

AN ACT TO MAKE UNIFORM THE LAW OF ACKNOWLEDGMENTS OF  
DEEDS OR OTHER INSTRUMENTS TAKEN OUTSIDE THE UNITED  
STATES.

SECTION

1. Deeds, etc., may be acknowledged before ambassador, minister, envoy, etc.; or consul, notary or commissioner having power.

SECTION

2. Certificate, what to contain.  
3. Form may be in conformity with present form.  
4. Takes effect June 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. All deeds or other instruments requiring acknowledgment, if acknowledged without the United States, shall be acknowledged before an ambassador, minister, envoy or charge d'affaires of the United States, in the country to which he is accredited, or before one of the following officers commissioned or accredited to act at the place where the acknowledgment is taken,

Deeds, etc., may be acknowledged before ambassador, minister, envoy, etc.; or consul, notary or commissioner having power.

and having an official seal, viz.: any consular officer of the United States; a notary public; or a commissioner or other agent of this state having power to take acknowledgments of deeds.

Certificate, what  
to contain.

SECT. 2. Every certificate of acknowledgment, made without the United States, shall contain the name or names of the person or persons making the acknowledgment, the date when and place where made, a statement of the fact that the person or persons making the acknowledgment knew the contents of the instrument, and acknowledged the same to be his, her or their act; the certificate shall also contain the name of the person before whom made, his official title, and be sealed with his official seal and may be substantially in the following form:

.....(name of county).  
.....(name of city, province or other  
political subdivision).

Before the undersigned.....(naming  
the officer and designating his official title) duly commissioned (or  
appointed) and qualified, this day personally appeared at the place  
above named.....(naming the  
person or persons acknowledging) who declared that he (she or  
they) knew the contents of the foregoing instrument, and acknowl-  
edged the same to be his (her or their) act. Witness my hand and  
official seal this.....day of....., 19....  
.....(name of officer).  
[SEAL] .....(official title).

When the seal affixed shall contain the name or the official style of the officer, any error in stating, or failure to state otherwise the name or the official style of the officer, shall not render the certificate defective.

Form may be in  
conformity with  
present form.

SECT. 3. A certificate of acknowledgment of a deed or other instrument acknowledged without the United States before any officer mentioned in section 1 shall also be valid if in the same form as now is or hereafter may be required by law, for an acknowledgment within this state.

Takes effect June  
1, 1917.

SECT. 4. This act shall take effect June 1, 1917.

[Approved March 7, 1917.]



CHAPTER 54.

AN ACT TO PROVIDE FOR THE UNION OF A MUTUAL SAVINGS BANK WITH  
A TRUST OR BANKING COMPANY OR OTHER SAVINGS BANK.

SECTION

1. Superior court may permit consolidation; petitioners, who may be.
2. Order of notice; petition to be referred to bank commissioners.
3. Commissioners to determine certain facts.
4. Commissioners may employ expert appraisers.
5. Commissioners to report to court; and decree thereon.

SECTION

6. Decree may be entered, when; what to include.
7. Unclaimed deposits to be held in trust five years.
8. Decree as to winding up affairs of liquidating bank.
9. Trust or banking company, and other savings banks defined.
10. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Any mutual savings bank incorporated under the laws of this state, or a majority of the members thereof, and any trust or banking company, or any other savings bank, incorporated under the laws of this state, or a majority of the members or the holders of a majority of the stock thereof, may apply by petition to the superior court in the county in which either of said petitioning corporations is located, or to any justice of said court in vacation, for a decree of said court authorizing a union of said savings bank with said trust or banking company, or with another savings bank, and a dissolution of said first named savings bank in the manner hereinafter provided.

Superior court may permit consolidation; petitioners, who may be.

SECT. 2. When any such petition shall be so filed, said court, or a justice thereof, shall fix a time for a hearing thereon, and after due notice thereof to all parties interested by publication, and such other notice as the court may order, and after hearing upon said petition said court shall refer said petition to the board of bank commissioners for said state for the determination of the questions of fact raised by said petition as hereinafter provided.

Order of notice; petition to be referred to bank commissioners.

SECT. 3. Upon reference of said petition to said board of bank commissioners, it shall be the duty of said board, after due notice to all parties, or their attorneys of record who have caused their appearances to be entered on said petition in said court, and after hearing thereon:

Commissioners to determine certain facts.

(1) To find whether the public convenience and advantage and the interest of said institutions, their members, stockholders and depositors, will be promoted by the proposed union.

(2) To appraise the assets and ascertain the liabilities of said savings bank, and to determine the net value thereof for the purpose of liquidation, the total number of depositors therein, and the amount of their respective deposits, and upon said appraisal and

findings to determine the proportionate share of the net deposits due such depositors.

(3) To report the expenses incurred in the conduct of said hearings and in making said appraisal and findings.

Commissioners may employ expert appraisers.

SECT. 4. Said bank commissioners in the making of said appraisal may employ expert or other assistance at the expense of the petitioners.

Commissioners to report to court; and decree thereon.

SECT. 5. The said board of bank commissioners shall forthwith make a report to said court of its findings and determinations, and upon due notice to all parties of record the said court shall thereupon enter a final decree upon said petition and report.

Decree may be entered, when; what to include.

SECT. 6. If upon said report it appears that the public convenience and advantage and the interest of said several parties will be promoted by the action sought by said petition, then the court shall by decree fix a date upon which the funds of the depositors in the savings bank to be liquidated shall cease to draw interest and shall authorize the trustees or directors of said savings bank to sell and convey all of the assets of said savings bank to said trust or banking company or other savings bank at the value fixed by the appraisal of said board as hereinbefore provided, and to pay said depositors the several amounts found to be their due. *Provided, however,* that each depositor in said savings bank shall be given the option to receive from the proceeds of the sale of said assets the proportionate amount found to be his due in cash or instead thereof to accept a deposit book in said trust or banking company or other savings bank for the same amount without loss of interest.

Unclaimed deposits to be held in trust five years.

SECT. 7. The court may order all unclaimed deposits and dividends to be deposited with said trust or banking company or other savings bank upon such terms, conditions and security as justice may require, there to remain for a period of five years from the date of the decree of said court, unless sooner claimed, in which event the depositor may have his option to receive his deposit and accrued interest in money or take a deposit book in the trust or banking company or other savings bank for the same amount without loss of interest. At the expiration of five years from the date of said decree, the bank commissioners shall make a report to the court, of the names and the residences, if known, of all persons then entitled to such unclaimed deposits or dividends, and the same shall be disposed of in the manner provided for the disposition of unclaimed dividends of insolvent institutions by section 12, chapter 68, Laws of 1911.

Decree as to winding up affairs of liquidating bank.

SECT. 8. The court shall make all other and further orders and decrees in respect to the winding up of the affairs of said liquidated savings bank and its dissolution that may be necessary for the protection of all parties interested.

Trust or banking company, and other savings banks defined.

SECT. 9. The words "trust or banking company or other savings bank" as used in this act, shall include any trust company, loan

and trust company, or loan and banking company, or savings bank, or other corporation of similar character incorporated under the laws of this state.

SECT. 10. All acts inconsistent with this are hereby repealed so far as in conflict herewith, and this act shall take effect upon its passage. Repealing clause; takes effect on passage.

[Approved March 7, 1917.]

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## CHAPTER 55.

### AN ACT TO PROVIDE FOR INDEMNIFYING A HOLDER OF WORTHLESS CHECK OR ORDER.

#### SECTION

1. Person knowingly passing worthless check, liable to arrest in civil action.

#### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Any person who makes or draws or utters or delivers any check, draft or order for the payment of money upon any bank or other depository, knowing at the time of such making, drawing, uttering or delivery that the maker or drawer has not sufficient funds in or credit with such bank or other depository for the payment of such check, draft or order in full upon its presentation, and which is not paid in full upon presentation shall be liable in an action based on this act to the person injured thereby and for want of property, the body of a person so making, drawing, uttering or delivering such check, draft or order may be attached. Person knowingly passing worthless check, liable to arrest in civil action.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage. Repealing clause; takes effect on passage.

[Approved March 7, 1917.]

CHAPTER 56.

AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 255 OF THE PUBLIC STATUTES, ENTITLED "JUDGMENT AND EXECUTION," RELATING TO THE TRANSFER OF PRISONERS FROM THE STATE PRISON TO THE STATE HOSPITAL.

SECTION

1. Board of trustees of state institutions may transfer prisoners from state prison to state hospital when cause to believe such insane.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Board of trustees of state institutions may transfer prisoners from state prison to state hospital when cause to believe such insane.

SECTION 1. Amend section 4, chapter 255 of the Public Statutes, by adding at the end thereof the following: The board of trustees of state institutions may, by majority vote, transfer to the state hospital temporarily, and for the purpose of observation, any prisoner duly committed to the state prison, who may be suspected of insanity, so that said section as amended shall read as follows: SECT. 4. The governor and council or the supreme court may discharge any such person from prison, or may transfer any prisoner who is insane to the state hospital, to be there kept at the expense of the state, whenever they are satisfied that such discharge or transfer will be conducive to the health and comfort of the person and the welfare of the public. The board of trustees of state institutions may, by majority vote, transfer to the state hospital temporarily, and for the purpose of observation, any prisoner duly committed to the state prison, who may be suspected of insanity.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1917.]

CHAPTER 57.

AN ACT RELATING TO MUNICIPAL ACCOUNTS, AND TO REPEAL SECTIONS 10, 11 AND 12 OF CHAPTER 16 OF THE PUBLIC STATUTES RELATING TO THE STATE TREASURER, AND SECTION 15 OF CHAPTER 43 OF THE PUBLIC STATUTES RELATING TO THE CHOICE AND DUTIES OF TOWN OFFICERS.

SECTION

- 1. Municipal accounting officers to make annual return of transactions to tax commission.
- 2. Commission to publish same, tabulated, annually.

SECTION

- 3. Certain statutes repealed.
- 4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The accounting officers of the several counties, cities, towns, school districts, village precincts, and departments thereof, within the state shall on or before the first day of March in each year return to the tax commission summaries, on blanks furnished by it, of uniform accounts prescribed by it showing the transactions of said counties and municipalities during their last fiscal year, and their condition at the close thereof.

SECT. 2. The tax commission shall tabulate the information contained in said summaries and publish the same as a part of its annual report.

SECT. 3. Sections 10, 11 and 12 of chapter 16 and section 15 of chapter 43 of the Public Statutes are hereby repealed.

SECT. 4. This act shall take effect upon its passage.

[Approved March 7, 1917.]



## CHAPTER 58.

AN ACT MAKING IT AN OFFENSE TO RIDE WITHOUT RIGHT ON CERTAIN  
CONVEYANCES UPON ANY RAILROAD IN THIS STATE.

## SECTION

1. Prohibition of act, and penalty for violation.
2. Officers may arrest upon view, without warrant.

## SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Prohibition of act,  
and penalty for  
violation.

SECTION 1. Whoever, without right, rides or attempts to ride upon a locomotive engine, tender, freight car, caboose, or other conveyance not a part of a passenger train, upon any railroad in this state, shall be punished by a fine of not more than fifty dollars or imprisonment for not more than six months.

Officers may ar-  
rest upon view,  
without warrant.

SECT. 2. A sheriff, deputy sheriff, police officer or railroad police officer, upon view of an offense described in section 1 of this act may, without warrant, arrest the offender and take him to the nearest police station or other place of lawful detention in the county where the offense was committed.

Takes effect on  
passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 7, 1917.]

## CHAPTER 59.

AN ACT TO AMEND CHAPTER 8 OF THE PUBLIC STATUTES RELATING TO  
THE STATE AND OTHER PUBLIC LIBRARIES.

## SECTION

1. Repealing P. S., ch. 8, and amendments thereto.
1. [Of new act.] State library; function.
2. Trustees, appointment.
3. Trustees, tenure of office.
4. Trustees, political faith.
5. Trustees, compensation.
6. Trustees, vacancies how filled.
7. Trustees, removal.
8. Trustees, general powers.
9. Maintenance; appropriation for 1916 available for 1917.
10. Books and periodicals.
11. Rules and regulations.
12. Librarian, appointment.
13. Librarian, tenure of office.
14. Librarian, removal.
15. Librarian, duties.
16. Librarian, salary.
17. Librarian, assistants.
18. Legislative reference service.
19. Depository for collection of books, pamphlets, etc.
20. State publications.
21. Publications exchanged with other states and libraries.
22. Surplus state publications.
23. Biennial reports.
24. County reports to be sent to state library.
25. Town reports to be sent to state library.
26. Educational publications to be filed with.
27. Corporation reports to be filed with.
28. Checklists used in presidential election, copy to be filed with.
29. State library building.
30. Public library commission; establishment.
31. Appointment.

## SECTION

32. Vacancies.
33. Qualifications.
34. Removal.
35. Compensation.
36. Organization.
37. Rules.
38. Secretary and clerical assistance; compensation.
39. Secretary, duties.
40. Commission to advise librarians or trustees of free libraries as to management.
41. Commission may hold institutes for librarians, etc.
42. Commission may aid in establishing free libraries.
43. Annual aid.
44. Traveling libraries.
45. Board of visitors.
46. Library bulletin to be issued quarterly.
47. Commission to make biennial reports.
48. Commission to have quarters in state library.
49. Legislative appropriations, how classified.
50. Free public libraries; status.
51. Maintenance.
52. Trustees, election.
53. Trustees, eligibility.
54. Trustees, organization.
55. Trustees, vacancies.
56. Trustees, duties.
57. Trustees, reports.
58. Towns may make by-laws, for use of libraries.
59. State publications to be sent to free libraries.
60. Penalties.
2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 8 of the Public Statutes and all acts amend- Repealing P. S.,  
atory thereto are hereby amended by striking out the whole of ch. 8 and amend-  
ments thereto.  
said chapter and acts and inserting in place thereof the following:

## CHAPTER 8.

## STATE AND OTHER PUBLIC LIBRARIES.

## State Library.

State library;  
function.

SECTION 1. (Function.) A state library shall be maintained for the use of the members of the legislative, executive and judicial departments of the state government and as a reference library for the use of every citizen of the state.

Trustees, appoint-  
ment.

SECT. 2. (Trustees—Appointment.) The governor, with the advice and consent of the council, shall appoint three persons as trustees of the state library.

Trustees, tenure  
of office.

SECT. 3. (Trustees—Tenure of Office.) The present trustees of the state library are hereby continued in office as trustees under this act until the expiration of their present terms. Their successors shall be appointed for three, four and five years respectively, and thereafter, upon expiration of terms, the appointment shall be for six years. All terms of office shall continue until successors have been appointed and have qualified.

Trustees, political  
faith.

SECT. 4. (Trustees—Political Faith.) No more than two of the trustees shall be of the same political party.

Trustees, compen-  
sation.

SECT. 5. (Trustees—Compensation.) The members of the trustees shall serve without compensation but their actual expenses, incurred in the performance of their duties, shall be paid by the state.

Trustees, vacan-  
cies how filled.

SECT. 6. (Trustees—Vacancies.) Vacancies shall be filled by the governor, with the advice and consent of the council, for the unexpired term.

Trustees, removal.

SECT. 7. (Trustees—Removal.) Upon reasonable cause shown, the governor, with the advice and consent of the council, may remove members of the trustees.

Trustees, general  
powers.

SECT. 8. (Trustees—General Powers.) Except as otherwise provided by law the trustees shall have full power and authority as to all matters pertaining to the state library, its maintenance and use.

Maintenance; ap-  
propriation for  
1916 available for  
1917.

SECT. 9. (Maintenance.) Appropriations shall be made by each legislature for the following items of maintenance for the state library: Salaries, which shall include all payments for expenses incurred by the trustees, the state librarian and employees; Books, which shall include periodicals and the binding of books and periodicals; Maintenance, which shall include all expenses necessary for the running of the state library, and the running and repair of the state library building.

Appropriations made by the legislature of 1915 for state library department for the year ending August 31, 1917 (Laws of 1915, chapter 131, section 1), are hereby transferred to and become available for the use of the state library hereby established.

SECT. 10. (Books and Periodicals.) The trustees shall purchase such books and periodicals for the increase of the state library as in their judgment will best increase its efficiency as a reference library in all departments of learning. Books and periodicals.

SECT. 11. (Rules and Regulations.) The trustees shall make such rules and regulations as to the management and use of the state library as in their judgment will make it most efficient as a general reference library. Rules and regulations.

SECT. 12. (Librarian—Appointment.) The trustees shall appoint a state librarian to manage the affairs of the state library under their supervision. Librarian, appointment.

SECT. 13. (Librarian—Tenure of Office.) The term of office of said state librarian shall be three years but he shall continue to serve until his successor is appointed. Librarian, tenure of office.

SECT. 14. (Librarian—Removal.) The trustees may remove the state librarian for reasonable cause shown. Librarian, removal.

SECT. 15. (Librarian—Duties.) The trustees shall specify the duties of the state librarian and may delegate such of their powers to him as in their judgment will be for the best interests of the state library. He shall act as secretary of the trustees. Librarian, duties.

SECT. 16. (Librarian—Salary.) The salary of the state librarian shall be fixed by the trustees, subject to the approval of the governor and council. Librarian, salary.

SECT. 17. (Librarian—Assistants.) The trustees shall allow the state librarian to employ such assistants in the work of the library, and at such compensation, as the governor and council may approve. Librarian, assistants.

SECT. 18. (Legislative Reference Service.) The trustees shall establish within the state library such catalogues and collections as in their judgment will make it most serviceable in matters of legislation. Legislative reference service.

SECT. 19. (Deposit of Collections.) The trustees may become custodians for the state of collections of books, pamphlets, maps, manuscripts and other material upon such terms and under such regulations as to them seem just. Depository for collection of books, periodicals, etc.

SECT. 20. (State Publications.) The public printing commission shall cause to be delivered to the state library, immediately upon publication, eighty copies of all reports of state departments and institutions, legislative bills, and all other state publications, except session laws, journals and state papers, bound in the usual form, the same to be in addition to the number ordered by the departments. State publications.

SECT. 21. (Exchange of Publications.) The trustees may make such agreements for the exchange of the publications of this state for those of other states, governments, institutions, libraries and persons as in their judgment will be for the interests of the state library. Publications exchanged with other states and libraries.



Surplus state publications.

SECT. 22. (Surplus State Publications.) The trustees may dispose by sale or exchange, of all or any part of the surplus state publications deposited in the state library. Money from sales, after deducting all expenses incurred, shall be paid into the state treasury.

Biennial reports.

SECT. 23. (Biennial Reports.) The report of the state librarian shall be made biennially as of August 31 preceding the sessions of the legislature, to the trustees, and they shall submit the same with their report to the governor. They shall cause a reasonable number of copies of the reports to be printed and distributed.

County reports to be sent to state library.

SECT. 24. (County Reports.) Within thirty days after publication the county commissioners of each county shall forward to the state library two copies of the report of the county for the previous fiscal year.

Town reports to be sent to state library.

SECT. 25. (Town Reports.) Within thirty days after publication each city and town clerk shall forward to the state library two copies, to the New Hampshire Historical Society two copies, and to the New Hampshire Genealogical Society two copies, of the report of the city or town for the previous fiscal year.

Educational publications to be filed with.

SECT. 26. (Educational Publications.) Within thirty days after publication the head of each institution of learning in this state shall forward to the state library two copies, to the New Hampshire Historical Society two copies and to the New Hampshire Genealogical Society one copy of all books, pamphlets and periodicals published by the institution.

Corporation reports to be filed with.

SECT. 27. (Corporation Reports.) Within thirty days after the same are published officers of all corporations, both domestic and foreign, shall file in the state library copies of all printed reports as to the affairs of the corporation.

Checklists used in presidential election, copy to be filed with.

SECT. 28. (Checklists.) Supervisors of towns and corresponding officers of cities shall, on or before January 1, succeeding each presidential election hereafter, send to the state library a copy of the checklist used in said presidential election duly and properly certified by said officers.

State library building.

SECT. 29. (State Library Building.) The trustees shall be the custodians of the state library building and grounds, maintain them in suitable repair and provide for keeping them in suitable condition at all times for the use of the state library and the supreme court. The state librarian shall be the executive officer of the trustees in the performance of these duties. The exclusive control of the supreme court rooms in the state library building shall be vested in the judges of the supreme court.

### Public Library Commission.

Public library commission; establishment.

SECT. 30. (Establishment.) A board, consisting of four residents of the state and the state librarian, *ex officio*, is hereby



established under the name of the Public Library Commission of New Hampshire.

SECT. 31. (Appointment.) Upon the passage of this act the governor, with the advice and consent of the council, shall appoint four residents of the state to serve one, two, three and four years respectively upon said commission, and thereafter, upon the expiration of terms, the governor, with the advice and consent of the council, shall appoint a successor for a term of four years. Members shall serve until their successors are appointed and have qualified. Appointment.

SECT. 32. (Vacancies.) Vacancies in said commission shall be filled by appointment by the governor, with the advice and consent of the council, for the unexpired term. Vacancies.

SECT. 33. (Qualifications.) Two members of the commission shall be appointed from each of the two leading political parties. Women may be appointed as members. Qualifications.

SECT. 34. (Removal.) The governor, with the advice and consent of the council, may remove any member of the commission, after proper cause shown at a hearing, duly notified, and may appoint a successor for the unexpired term. Removal.

SECT. 35. (Compensation.) No member of the commission shall receive compensation for his services but his actual expenses when in the discharge of his duties shall be paid out of the general fund. Compensation.

SECT. 36. (Organization.) The board shall organize by the election of a chairman and the appointment of such committees as it deems advisable. Organization.

SECT. 37. (Rules.) The commission may adopt such rules and regulations for its government as may best suit the purposes for which it is appointed. Rules.

SECT. 38. (Secretary.) The commission may employ a secretary and such clerical assistance as it deems advisable. Their compensation shall be fixed by the commission and paid out of the general fund. Secretary and clerical assistance; compensation.

SECT. 39. (Secretary—Duties.) The secretary's duties shall be prescribed by the commission and may include the visiting of free public libraries of the state for the purpose of giving aid and advice toward their development. Secretary; duties.

SECT. 40. (General Duties.) The librarian or trustees of a free public library may ask said commission for advice in regard to the selection and cataloguing of books and any other matters pertaining to the maintenance and administration of a library, and said commission shall give such advice in regard to such matters so far as it finds it practicable to do so. Commission to advise librarians or trustees of free libraries as to management.

SECT. 41. (Institutes.) For the purpose of rendering assistance to the librarians of free public libraries, said commission may annually hold a school of instruction, at such time and place as Commission may hold institutes for librarians, etc.

may best serve the public interest. The trustees of free public libraries are empowered to pay the necessary expenses of their librarians in attending such school of instruction out of the library fund.

Commission may aid in establishing free libraries.

SECT. 42. (Aid to Establishment.) The commission is hereby authorized to expend, upon the application of any town having no free public library owned and controlled by the town, a sum not exceeding one hundred dollars for books for such town, qualifying under this section. Books so purchased shall be used for the purpose of establishing a free public library in such town. No town shall be entitled to the benefits of this section until such town has established a free public library and provided for the maintenance thereof under this chapter, has voted to accept the provisions of this section and has provided in a manner satisfactory to the commission for the care, custody and distribution of the books to be furnished. The commission shall select and purchase all books provided for under this section.

Annual aid.

SECT. 43. (Annual Aid.) The commission may, in its discretion, assist free public libraries as follows: If the library trustees of a town, whose apportionment of the state tax is one dollar or less, satisfy the commission that the free public library in their charge is doing practical and efficient work for the public benefit and is rendering useful assistance to the public schools of the town, the commission may expend not exceeding one hundred dollars annually for the purchase of books for each of such libraries. No library shall be entitled to the benefits of this section unless it has complied with all provisions of this chapter with reference to free public libraries.

Traveling libraries.

SECT. 44. (Traveling Libraries.) The commission may establish traveling libraries, purchase books and necessary equipment for the same, make necessary rules and regulations for the use thereof, and in all ways manage and control the same. Traveling libraries may be loaned by the commission to such schools, libraries, literary or other associations as shall conform to the rules and regulations made by it.

Board of visitors.

SECT. 45. (Board of Visitors.) The commission may in its discretion appoint one or more persons in each county as a board of visitors for such county. Visitors so appointed shall from time to time visit the free public libraries in the county and offer aid and advice in every way possible.

Library bulletin to be issued quarterly.

SECT. 46. (Bulletin.) The commission shall issue a library bulletin four times in each year, which shall contain recommendations as to the best methods to be employed in library work, together with notes on library progress, and such other matters of general information relating to library work, and such indexes and other bibliographical matters designed to aid in the administration of public libraries in connection with the state library, as

they may deem proper. Said bulletin shall be printed and distributed under the direction of the commission, one copy being sent to each free public library in the state and to such other persons and libraries as the judgment of the board may suggest.

SECT. 47. (Reports.) The commission shall make a biennial report of its doings to the governor, said report to be dated August 31 of the year preceding the legislative session and filed with the secretary of state by October 1 of the year of its date. One thousand copies of such report shall be printed and one copy shall be given to each member of the legislature, one copy sent to each free public library in the state and the balance distributed as the commission shall deem wise.

Commission to make biennial reports.

SECT. 48. (Quarters.) The trustees of the state library shall furnish suitable quarters in the state library building for the commission, its secretary and assistants.

Commission to have quarters in state library.

SECT. 49. (Appropriations.) The legislature, in making appropriations under this free public library law shall designate them as follows: For carrying out the provisions of section 42, Libraries—Aid to Establishment; For carrying out the provisions of section 43, Libraries—Annual Aid; For carrying out the provisions of section 44, Libraries—Traveling Libraries; For carrying out the provisions of section 46, Libraries—Bulletin; For carrying out the provisions of all other sections of the act, Libraries—General Fund.

Legislative appropriations, how classified.

### Free Public Libraries.

SECT. 50. (Status.) Every public library, established by a town shall remain forever free to the use of every resident of the town wherein it is located. The words "public library" may be construed to include reference and circulating libraries, reading rooms, and museums regularly open to the public.

Free public libraries; status.

SECT. 51. (Maintenance.) The selectmen in each town shall assess annually, upon the polls and ratable estates taxable therein, a sum to be computed at the rate of thirty dollars for every dollar of the public taxes apportioned to such town, and so for a greater or less sum. The town may raise a sum exceeding the amount aforesaid, which shall be assessed in the same manner. The sum so assessed shall be appropriated to the sole purpose of establishing and maintaining a free public library within such town. In towns where no town library exists, the money so raised shall be held by the library trustees and allowed to accumulate until such time as the town may vote to establish a library.

Maintenance.

SECT. 52. (Trustees—Election.) Except in cases where a free public library has been acquired by the town, in whole or in part, by donation or bequest containing other conditions or provisions for the election of its trustees or for its care and management,

Trustees, election.



which conditions have been agreed to by vote of the town, every town shall, at a duly warned town meeting, elect by ballot a board of library trustees, consisting of any number of persons divisible by three which the town may decide to elect. At the first election one-third of the trustees shall be elected for one year, one-third for two years, and one-third for three years, and thereafter one-third of the number annually for a term of three years, or until others are chosen in their places.

Trustees,  
eligibility.

SECT. 53. (Trustees—Eligibility.) Any resident of the town, having attained the age of twenty-one years is eligible to election as trustee. Women may be elected to this office.

Trustees,  
organization.

SECT. 54. (Trustees—Organization.) The trustees, so elected, shall organize annually by the choice of a chairman and secretary from their own number.

Trustees,  
vacancies.

SECT. 55. (Trustees—Vacancies.) Whenever a vacancy shall occur in the board, the remaining members shall give notice of the fact in writing to the selectmen of the town, who shall proceed to fill such vacancy until the next annual town meeting.

Trustees, duties.

SECT. 56. (Trustees—Duties.) The trustees elected by the town shall have the entire custody and management of the free public library and all property of the town relating thereto: and all money raised or appropriated by the town for its support and maintenance, and all money or property that the town may receive by donation from any source, or by bequest, in behalf of said free public library, shall be placed in the care and custody of the board of trustees, to be expended or retained by them for and in behalf of the town for the support and maintenance of its free public library, in accordance with the conditions of each or any donation or bequest accepted by the town.

Trustees, reports.

SECT. 57. (Trustees—Reports.) The trustees shall make an explicit report to the town at each annual town meeting of all their receipts and expenditures, and of all the property of the town in their care and custody, including a statement of any unexpended balance of money they may have, and of any bequests or donations they may have received and are holding in behalf of the town, with such recommendations in reference to the same as they may deem necessary for the town to consider. They shall also make a report annually to the public library commission, showing to what extent the provisions of the foregoing sections have been complied with by the town.

Towns may make  
by-laws, for use of  
libraries.

SECT. 58. (Government.) Towns may make by-laws for the care, protection, preservation and use of the free public library in the town. The trustees of such library may make rules and regulations for the government thereof not inconsistent with said by-laws.

State publications  
to be sent to free  
libraries.

SECT. 59. (State Publications.) The secretary of state shall send copies of the following state publications to each free public

library in the state as soon as issued; session laws, journals of the house and senate, law reports, state papers, and manuals and annual department reports.

SECT. 60. (Penalties.) Any town or library official violating any of the provisions of sections 50 to 60 inclusive of this act shall be fined not more than five hundred dollars. Whenever there shall be available in any town for the purpose of maintaining a free public library an annual income which alone or with the town appropriation shall equal the amount required to be raised by that town annually, then the town officials shall be exempt from the provisions of this section so far as it relates to the enforcement of the provisions of section 51 of this act. Whenever a town having no town library, and having made no assessment under the provisions of this act, shall vote that it is inexpedient to establish a library, such action having been taken under a special article inserted in the warrant for the annual town meeting, then the officials of such town shall be exempt from the provisions of this section for one year thereafter.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

Repealing clause;  
takes effect on  
passage.

[Approved March 7, 1917.]

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## CHAPTER 60.

AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 43, LAWS OF 1901,  
ENTITLED "AN ACT TO REGULATE THE SALE OF FERTILIZERS."

SECTION 1. Certain fertilizers to have nature of contents certified on outside of package.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 4 of said act by striking out the entire section and inserting a new section to read as follows:  
SECT. 4. No person shall sell, or offer or expose for sale, in this state, in any form as a fertilizer, any pulverized leather, hair or wool waste, raw, steamed or roasted, or peat, garbage tankage, or any inert material whatsoever, without an explicit printed certificate of the fact conspicuously fixed to every package of such fertilizer.

Certain fertilizers  
to have nature of  
contents certified  
on outside of  
package.

[Approved March 8, 1917.]



## CHAPTER 61.

AN ACT IN AMENDMENT OF THE LAWS OF 1909, CHAPTER 162, SECTION 2, ENTITLED "AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF COCAINE AND ARTICLES CONTAINING COCAINE," AS AMENDED BY THE LAWS OF 1911, CHAPTER 7, AND BY THE LAWS OF 1915, CHAPTER 160, AND PROVIDING FOR THE INSPECTION OF PRESCRIPTIONS IN CERTAIN CASES.\*

## SECTION

1. Selectmen or police may inspect prescriptions in drugstores.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Selectmen or police may inspect prescriptions in drugstores.

SECTION 1. Amend Laws of 1909, chapter 162, section 2, as amended by the Laws of 1911, chapter 7, and by the Laws of 1915, chapter 160, by adding at the end thereof the following: The chief of police of cities or the selectmen of towns, or any officer authorized by either of them, may at any time enter upon any premises used by an apothecary or druggist for the purpose of his business and inspect such original prescriptions; and every apothecary or druggist, his clerk, agent or servant, shall exhibit to such officer on demand, every such original prescription so kept on file, so that said section as amended shall read as follows: SECT. 2. It shall be unlawful for any person, firm, or corporation to sell, exchange, deliver, expose for sale, give away, or have in his possession or custody with intent to sell, exchange, deliver, or give away, in any street, way, square, park, or other public place, or in any hotel, restaurant, liquor saloon, bar-room, pool-room, news stand, or other places to which persons are permitted generally to resort, public hall, place of amusement, or public building, any cocaine or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine, or any derivatives of the same; *provided, however*, that the foregoing provisions shall not apply to sales to apothecaries, druggists, physicians, veterinaries, and dentists, nor to sales by apothecaries or druggists upon the original prescription of a physician, *provided* the prescription is retained and kept on file as authority for the sale and not refilled. The chief of police of cities or the selectmen of towns, or any officer authorized by either of them, may at any time enter upon any premises used by an apothecary or druggist for the purpose of his business and inspect such original prescriptions; and every apothecary or druggist, his clerk, agent or servant, shall exhibit

\* Later amended, see ch. 192, *post*.

to such officer on demand, every such original prescription so kept on file.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage. Repealing clause;  
takes effect on  
passage.

[Approved March 8, 1917.]

## CHAPTER 62.

AN ACT IN AMENDMENT OF CHAPTER 98, LAWS OF 1901, AS AMENDED  
BY CHAPTER 138, LAWS OF 1915, RELATING TO ROADSIDE IMPROVE-  
MENT.

### SECTION

1. State forester may remove brush from roadside, when, and assess the cost against party leaving it there.

### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Section 7 of chapter 98, Laws of 1901, as amended by chapter 138, Laws of 1915 is hereby amended by adding at the end thereof the following: If any cut brush has been left within the limits of any public highway for a longer period than thirty days the state forester is hereby authorized to complete the removal or disposal of such brush and to assess the costs thereof against the person, firm, corporation or town authorizing or causing such brush. If the said costs are not paid within a reasonable time they may be recovered in a legal action brought by order of the attorney-general upon complaint of the state forester; so that the said section 7 as amended shall read: SECT. 7. Mayors of cities, selectmen of towns, and county commissioners for unincorporated places, shall annually during the months of August or September, and at other times when advisable, cause to be cut and disposed of from within the limits of the highway, all trees and bushes that cause damage to the highway, traveling public, or that are objectionable from the material or artistic standpoint. Shade and fruit trees that have been set out or marked by the abutting landowners or by the town tree warden, and young trees standing at a proper distance from the highway and from each other, shall be preserved, as well as banks and hedges of bushes that serve as a protection of the highway, or that add to the

State forester may  
remove brush from  
roadside, when,  
and assess the cost  
against party  
leaving it there.

beauty of the roadside; and it shall be unlawful for anyone to deposit rubbish within the limits of the highway.

Any young shade or ornamental tree planted within the limits of a public highway by the tree warden, or by any other person or persons, with the approval of the selectmen or the mayor, shall forthwith become the property of the town or city. Any young seedling tree or sprout left within the limits of the highway as specified in this section and designated by the tree warden to be preserved for its future value as a shade tree shall become the property of the municipality; *provided*, that the abutting landowner, having been notified of the intention of the town to take and preserve such young tree or trees, shall have made no written objection to the tree warden within thirty days from the date of such notification.

The selectmen of a town or the highway department of a city may contract with any owner of land abutting a public highway to cut, trim, and improve the roadside growth along said owner's property, and for all such work properly done in carrying out the provisions of this section and approved by the tree warden, may allow and cause to be paid to said owner such sums of money as in their judgment, with the advice of the tree warden, justly compensate the town or city in the improved condition of the roadside.

On all state roads and trunk-line highways the plan of carrying out the provisions of this act shall be under the supervision of the state highway department. Said department shall make such rules and regulations for the purpose of carrying out the provisions of this act as shall, in its judgment, seem for the best interests of the state. Whenever any trees or brush cut along the highway is disposed of by burning, the cut trees or brush shall be removed a safe distance from any adjoining woodland or from any tree or hedge designated or desirable for preservation, and such burning shall be done with the permission of the forest fire warden. All trees or brush thus cut from within the limits of the highway shall be disposed of within thirty days from the cutting thereof.

When any highway shall be laid out, damages may be assessed to the abutting owners to provide for the maintenance or planting, from time to time, within the limits of such highway, of such shade and ornamental trees as may be necessary for the preservation and improvement of such highway. Damages may be assessed to abutting owners on any existing highway upon petition therefor, and such proceedings had as in the layout of highways to provide for the maintenance and planting, from time to time, of such trees within the limits of such highways as may be necessary for the preservation and improvement of the same. When such damage shall be assessed and paid, there shall be, in addition to the right

of travel over such highway, a public easement to protect, preserve, and renew the growth thereon for the purposes aforesaid. If any cut brush has been left within the limits of any public highway for a longer period than thirty days the state forester is hereby authorized to complete the removal or disposal of such brush and to assess the costs thereof against the person, firm, corporation or town authorizing or causing such brush. If the said costs are not paid within a reasonable time they may be recovered in a legal action brought by order of the attorney-general upon complaint of the state forester.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved March 8, 1917.]

## CHAPTER 63.

AN ACT TO AMEND SECTION 2 OF CHAPTER 169 OF THE LAWS OF 1915, ENTITLED "AN ACT TO PREVENT CORRUPT PRACTICES AT ELECTIONS, AND TO REGULATE EXPENDITURES FOR POLITICAL PURPOSES AND PROVIDE FOR THE PUBLICITY THEREOF."

### SECTION

1. Campaign contributions for transporting voters from home to polls and return, legalized.

### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 2 of chapter 169 of the Laws of 1915, entitled "An Act to prevent corrupt practices at elections, and to regulate expenditures for political purposes and provide for the publicity thereof," by adding at the end thereof the following: (i) For transporting electors, who are in the town or city wherein they are entitled to vote, to and from the polls, so that said section as amended shall read as follows: SECT. 2. No political committee or candidate, for the purpose of aiding or promoting the success or defeat of any party, principle, measure, or person to be voted for at any election, shall give, pay, or contribute, or promise to give, pay, or contribute, any money or thing of value whatsoever to any person whomsoever, except as follows:

Campaign contributions for transporting voters from home to polls and return, legalized.

(a) For the transportation, housing and sustenance, and minor expenses strictly incidental to traveling, for members of such committee and for candidates, and for speakers procured by or



on behalf of the committee or candidate to speak at any rally or political meeting.

(b) For the preparation, printing, and distribution by mail of letters, circulars, and other written or printed matter, and for the posting or distribution through any advertising or bill posting agency of posters, hand-bills, and other advertising matter.

(c) For the rental of offices occupied by such committee or candidate, and telephone or telegraph tolls, and for the compensation of secretaries, stenographers, and other office employees.

(d) For the rental of halls and other rooms for the holding of political meetings and rallies, at which political addresses are to be made or candidates are to be present.

(e) For advertisements permitted by the provisions of this act.

(f) For the payment of speakers.

(g) For the salaries of political agents employed by the committee or candidate to travel from town to town arranging for political meetings and rallies and doing lawful acts in advancing the objects of the committee or candidate, and for the canvassing of voters.

(h) For contributions to local committees.

(i) For transporting electors, who are in the town or city wherein they are entitled to vote, to and from the polls.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 15, 1917.]

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## CHAPTER 64.

### AN ACT AMENDING CHAPTER 177 OF THE PUBLIC STATUTES RELATING TO GUARDIANS.

#### SECTION

1. Oath of guardian to be filed in probate court, before license to sell real estate is granted.

#### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Oath of guardian to be filed in probate court, before license to sell real estate is granted.

SECTION 1. Amend section 12, chapter 177, Public Statutes, by striking out the whole of said section and inserting in place thereof the following section: SECT. 12. Before a license for sale of real estate shall be granted, the guardian shall take the following oath, before the judge or any justice of the peace, and shall file a certificate thereof in the probate office:



I, A. B., guardian of C. D., etc., my ward, do solemnly swear that in disposing of the estate of my ward, for which I have applied for license, I will use my best judgment, and will exert my utmost endeavors that the same shall be sold in such manner as shall be of the greatest advantage to my ward, without any sinister or selfish views whatever.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 15, 1917.]

CHAPTER 65.

AN ACT IN AMENDMENT OF CHAPTER 32, LAWS OF 1911, RELATING TO THE PERPETUAL CARE OF CEMETERY LOTS.

SECTION	SECTION
1. Judge of probate may make allowance from estate, for perpetual care of lot in which deceased is buried; to whom to be paid.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 1, chapter 32, Laws of 1911, by striking out the entire section and substituting the following:  
SECTION 1. Execentors, administrators and trustees may pay, upon the order of the judge of probate, to cemetery corporations or to cities or towns, in which the testate or intestate have burial places, a reasonable sum of money for the perpetual care of the lot in which the body of their testate or intestate is buried and the monuments thereon. The judge of probate shall determine, after notice to all parties in interest, to whom the same shall be paid and the amount thereof, if any, and such sum shall be allowed in the accounts of such executor. administrator, or trustee.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 15, 1917.]

CHAPTER 66.

AN ACT AMENDING CHAPTER 4, SESSION LAWS OF 1895, RELATING TO  
THE SALE OF THE REAL ESTATE OF PERSONS DECEASED.

SECTION

1. Administrator to take oath before receiving license to sell real estate; form of oath.

SECTION

2. Administrator may execute conveyance, if sale is according to license and legal requirements.  
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Administrator to  
take oath before  
receiving license  
to sell real estate;  
form of oath.

SECTION 1. Amend chapter 4, session Laws of 1895, by striking  
out section 2 and substituting in place thereof the following:

SECT. 2. That the administrator, before a license for sale of real  
estate at public auction shall be granted, shall take the following  
oath before the judge, any justice of the peace, or other officer  
authorized to administer oaths, and shall file a certificate thereof  
in the probate office. I..... do solemnly  
swear that in disposing of such estate of.....  
deceased as I may be licensed to sell, I will use my best judgment  
in fixing and advertising the time and place of sale, and will  
exert my utmost endeavor that the same shall be sold in such  
manner as will be of the greatest advantage to the persons inter-  
ested in said estate, without any sinister or selfish view or motive  
whatever. So help me, God. Before receiving a license to sell  
at private sale, the administrator shall take the foregoing oath,  
omitting the words "in fixing and advertising the time and place  
of sale."

Administrator  
may execute con-  
veyance, if sale is  
according to li-  
cense and legal  
requirements.

SECT. 2. Amend chapter 4, session Laws of 1895, by striking  
out section 3 and substituting in place thereof the following:

SECT. 3. The administrator, so authorized, having made oath and  
sold according to the terms of his license, may execute and de-  
liver a valid conveyance of the estate to the purchaser.

Takes effect on  
passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 15, 1917.]

CHAPTER 67.

AN ACT TO PREVENT THE POLLUTION OF THE WATER IN LOON POND IN  
THE TOWN OF HILLSBOROUGH.

SECTION

1. Fishing through the ice on Loon Pond, prohibited.

SECTION

2. Penalty.  
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. All persons are prohibited from fishing through the ice on Loon Pond in the town of Hillsborough from the date of the passage of this act. Fishing through the ice on Loon Pond, prohibited.

SECT. 2. If any person shall violate the provisions of this act he shall be punished by a fine of ten dollars for each offense. Penalty.

SECT. 3. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 15, 1917.]

CHAPTER 68.

AN ACT RELATING TO ELECTION OF COUNTY OFFICERS FOR STRAFFORD COUNTY.

SECTION

1. County officers to take office January first next after election.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. There shall be chosen at each biennial election, by ballot, by the inhabitants of the several towns in the county of Strafford qualified to vote for senators, a sheriff, a county solicitor, a county treasurer, a register of deeds, a register of probate, and three county commissioners, each of whom shall take his office on the first day of January next succeeding his election, and shall hold the same for two years and until his successor is chosen and qualified. County officers to take office January first next after election.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect with the term of said county officers elected in the year 1918. Repealing clause: takes effect on passage.

[Approved March 15, 1917.]

CHAPTER 69.

AN ACT IN AMENDMENT OF CHAPTER 75 OF THE SESSION LAWS OF 1911  
REQUIRING THE USE OF UNDER-WATER EXHAUSTS OR MUFFLERS ON  
CERTAIN MOTOR BOATS.

SECTION

1. Boats having gas, gasoline or naphtha power required to have under-water exhaust.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Boats having gas,  
gasoline or naph-  
tha power re-  
quired to have  
under-water  
exhaust.

SECTION 1. Section 1 of chapter 75 of the session Laws of 1911 is hereby amended by striking out the entire section and substituting the following: SECTION 1. It shall be unlawful to use within the jurisdiction of this state a boat propelled, in whole or in part, by gas, gasoline or naphtha, unless the same is provided with an under-water exhaust or a muffler, so constructed and used as to muffle in a reasonable manner the noise of the explosion.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 15, 1917.]

CHAPTER 70.

AN ACT IN AMENDMENT OF CHAPTER 249, PUBLIC STATUTES, ENTITLED  
“POLICE OFFICERS AND WATCHMEN.” ..

SECTION

1. Police may make local regulations for the standing of automobiles on the streets.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Police may make  
local regulations  
for the standing  
of automobiles on  
the streets.

SECTION 1. Section 5 of said chapter 249 is hereby amended by inserting after the word “drays,” in the second line of said section, the words public automobiles, so that said section as amended shall read: SECT. 5. The police officers of a town may make regulations for the stand of hacks, drays, public automobiles and carts, in any street, lane or alley; for the height and position of any awning, shade or fixture in front of or near a building; and respecting any obstruction in any street, lane or alley, and the smoking of any cigar or pipe therein, or in any

stable or other outbuilding; and for determining the time of night at which saloons, eating-houses and restaurants shall be closed, and prohibiting the keeping open such places on the Lord's day.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 15, 1917.]

CHAPTER 71.

AN ACT RELATING TO QUALIFICATIONS OF NOTARY PUBLIC.

SECTION	SECTION
1. Woman of full age may be notary public.	2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Any person whether male or female, but in all other respects except sex, qualified to vote in town or city affairs may be appointed to the office of notary public.

Woman of full age may be notary public.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved March 15, 1917.]

CHAPTER 72.

AN ACT IN AMENDMENT OF SECTION 20 OF CHAPTER 287 OF THE PUBLIC STATUTES RELATING TO THE FEES OF JAILERS IN CERTAIN CASES.\*

SECTION	SECTION
1. Jailers allowed three dollars per week for board and washing for prisoner.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 20 of chapter 287 of the Public Statutes by striking out the words "two dollars and fifty cents", as they appear therein and substituting therefor the words three dollars, so that as amended said section shall read: SECT. 20.

Jailers allowed three dollars per week for board and washing for prisoner.

\* See also, chapter 77, *post*.



Jailers shall be entitled to the following fees: For receiving a prisoner into custody or discharging him, fifty cents. For the board of a prisoner, including washing, each week, three dollars.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 15, 1917.]

CHAPTER 73.

AN ACT TO AMEND CHAPTER 6 OF THE PUBLIC STATUTES RELATING TO THE PUBLIC PRINTER AND PUBLIC PRINTING.

SECTION

1. Repeals P. S., ch. 6, and amendments thereto.
1. [Of new act.] Public printing, defined.
2. Board of trustees for state institutions to order all public printing.
3. May be placed without necessity of competitive bidding. Board may require bond.

SECTION

4. Board to fix and revise prices.
5. Work to be done in N. H., if prices obtainable within schedule fixed by board, otherwise elsewhere.
6. Board to purchase supplies for printing.
2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Repeals P. S., ch. 6, and amendments thereto.

SECTION 1. Chapter 6 of the Public Statutes and all acts amendatory thereto are hereby amended by striking out the whole of said chapter and acts and inserting in place thereof the following:

CHAPTER 6.

Public Printing.

Public printing, defined.

SECTION 1. All printing, binding and blankbook making required by the several departments and institutions of the state, and paid for out of the state treasury, shall be termed public printing for the purposes of this act.

Board of trustees for state institutions to order all public printing.

SECT. 2. The board of trustees of state institutions shall have sole authority to contract for said public printing, and all public printing shall be ordered through them.

May be placed without necessity of competitive bidding. Board may require bond.

SECT. 3. Said board may contract with responsible parties, with or without competitive bidding, as they may deem for the best interests of the state, for the public printing, adopting such policy in distributing contracts for work not offered for competitive bids as will be just and equitable to all printing offices in the state equipped to render satisfactory service. Bonds for the fulfillment of the terms of such contracts may be required when-

ever, in the opinion of said board, the interests of the state so require.

SECT. 4. It shall be the duty of said board to establish fair and equitable schedules of maximum prices for printing in its various branches, and they shall revise said schedules on or before October first of each year preceding the session of the general court. No contract for public printing shall be awarded at prices in excess of those established by such schedules.

Board to fix and revise prices.

SECT. 5. Contracts for public printing shall be awarded to parties who are residents of, and will do the work in New Hampshire, *provided*, that if any portion of said work cannot be procured in New Hampshire at the prices established by the schedules provided for in section 4, said board may invite competitive bids from, and contract for such work with, parties outside the state at not exceeding those prices.

Work to be done in N. H., if prices obtainable within schedule fixed by board, otherwise elsewhere.

SECT. 6. Said board may purchase materials to be used in doing the public printing, in such quantities and at such times as in their opinion will best serve the interests of the state, and such materials so purchased shall remain in the custody of said board until required for use.

Board to purchase supplies for printing.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved March 15, 1917.]

CHAPTER 74.

AN ACT IN AMENDMENT OF CHAPTER 125, LAWS OF 1907, RELATING TO THE TREATMENT AND CONTROL OF DEPENDENT, NEGLECTED, AND DELINQUENT CHILDREN.

SECTION

1. Dependent and neglected child under seventeen, may be committed to care of state board of charities, or proper society approved by the board. Expense to be borne by municipality chargeable for its support.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 13 of chapter 125, of the session Laws of 1907, entitled, "An Act to regulate the treatment and control of dependent, neglected and delinquent children and to provide for the appointment of probation officers," by striking out the whole of said section and inserting in place thereof the

Dependent and neglected child under seventeen, may be committed to care of state board of charities, or proper society approved by the

board. Expense to be borne by municipality chargeable for its support.

following: SECT. 13. When any child under the age of seventeen years shall be found to be dependent or neglected within the meaning of this act, the court may make an order committing the child to the care of the state board of charities and correction or to some society or association embracing in its objects the purpose of caring for or obtaining homes for dependent or neglected children, and which has been approved by said board. The expense of the maintenance of such child shall be borne by the county, city or town legally chargeable for its support if it were a public charge, *provided, however,* that such expense for maintenance and care shall be first approved by the county commissioners, or overseers of the poor, of such county, city or town, and such county, city or town shall have a right of action over for such expense against the parent or guardian of such child.

Repealing clause; takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 15, 1917.]

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CHAPTER 75.

AN ACT IN AMENDMENT OF SECTION 3 OF CHAPTER 162 OF THE LAWS OF 1915, RELATING TO TRUST FUNDS HELD BY TOWNS AND CITIES.\*

SECTION

1. Trust funds may be held by trustees in form of investment when received, until it matures.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Trust funds may be held by trustees in form of investment when received, until it matures.

SECTION 1. Amend section 3 of chapter 162 of the Laws of 1915, by inserting after the second sentence thereof a new sentence as follows: Said board of trustees may retain investments now held, and investments as received from donors, until the maturity thereof, so that said section 3 as amended shall read as follows: SECT. 3. Said board of trustees shall have the custody of all trust funds held by their respective town or city, including all trust funds held at the date of the passage of this act and hereafter received. Said funds shall be invested only by deposit in some savings bank in this state, or in state, county, town, city, and school district bonds and the notes of towns or cities in this state, and when so invested said trustees shall not be liable for the

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\* Amended by chapter 171, *post*.

loss thereof. Said board of trustees may retain investments now held, and investments as received from donors, until the maturity thereof. Such funds or the income thereof shall be expended only upon the joint action of the full board. The accounts of said board of trustees shall annually be audited by the auditor of the town or city, and the securities shall be exhibited to said auditor and he shall certify to the town or city the facts found by his audit and the list of all securities held, which report shall be printed in the annual report of each town or city. Said board of trustees shall annually submit to said auditor a detailed statement of the securities held by them and the particular trust to which they belong, and exhibit to him a statement of all receipts and expenditures with proper vouchers, which report of said trustees shall be printed in the annual report of each town and city. Said trustees shall keep a record of all trusts in a record book, which shall be open to the inspection of all persons in their respective town or city.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved March 15, 1917.]

## CHAPTER 76.

AN ACT IN AMENDMENT OF CHAPTER 164 OF THE LAWS OF 1911, AS AMENDED BY CHAPTERS 98, 99 AND 145, LAWS OF 1913, AND CHAPTERS 52 AND 99, LAWS OF 1915, BEING AN ACT TO ESTABLISH A PUBLIC SERVICE COMMISSION.

### SECTION

1. Ferry no longer deemed public utility subject to jurisdiction of public service commission.
2. Commission may employ an assistant clerk.
3. Commission may order illegal charge for fare or freight refunded, if made within two years.
4. Commission may order joint service by two or more connecting telephone utilities.

### SECTION

5. Commission may order railroad to construct spur track to private premises, when it unreasonably refuses so to do.
6. Issuance of short term notes, bonds, etc., regulated by commission.
7. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 164 of the Laws of 1911, as amended by chapters 98, 99 and 145, Laws of 1913, and chapters 52 and 99, Laws of 1915, being an act to establish a public service commission, is hereby amended by striking out the words "ferry

Ferry no longer  
deemed public  
utility subject to  
jurisdiction of  
public service  
commission.



or" in section 1 (c) of said chapter, so that said section 1 (c) as amended shall read as follows: (c) The term "public utility" shall include every corporation and every company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, except municipal corporations, owning, operating or managing any plant or equipment or any part of the same for the conveyance of telephone or telegraph messages or for the manufacture or furnishing of light, heat, power or water for the public, or in the generation, transmission or sale of electricity ultimately sold to the public, or owning or operating any toll bridge, or owning or operating any steam or other power boat engaged in the common carriage of passengers or freight, *provided, however*, that no such corporation, company, association, joint stock association, partnership or person shall be deemed to be a public utility by reason of the ownership or operation of any water system or part thereof, if the whole of such water system shall supply a less number of consumers than ten, each family, tenement, store or other establishment being considered a single consumer; nor shall any corporation, company, association, joint stock association, partnership or person engaged in manufacturing and carrying on in this state a manufacturing establishment, the product of which is something besides power, and producing electricity primarily for the operation of such establishment, be deemed a public utility by reason of the sale of electricity to a public utility at times when there may be a surplus of electricity beyond the needs of such manufacturing establishment, or when such manufacturing establishment may not be in operation.

Commission may  
employ an assist-  
ant clerk.

SECT. 2. Section 2 (o) of said chapter 164, as amended, is hereby amended by inserting the words and an assistant clerk after the word "clerk" in the first line of said paragraph, and by inserting the words or assistant clerk after the word "clerk" in the third line of said paragraph, so that said section 2 (o) as amended shall read as follows: (o) The commission may employ a clerk and an assistant clerk, and any record, order, certificate, or other process, document, or paper issued or made by the commission may be signed by the clerk or assistant clerk, or by any commissioner.

Commission may  
order illegal  
charge for fare or  
freight refunded,  
if made within  
two years.

SECT. 3. Section 11 (e) of said chapter 164, as amended, is hereby amended by inserting before the words "unjustly discriminatory" wherever they occur in said paragraph the words illegal or, so that said section 11 (e) as amended shall read as follows: (e) Whenever complaint has been made to the commission covering any rate, fare, charge or price demanded and collected by any railroad corporation, and the commission has found after hearing and investigation that an illegal or unjustly discriminatory rate, fare, charge or price has been collected for any service, the com-



mission may order the railroad corporation which has collected the same to make due reparation to the person who has paid the same, with interest from the date of the payment of such illegal or unjustly discriminatory amount, *provided, however*, that such order or reparation shall cover only payments made within two years before the date of filing the petition asking to have reparation ordered. Such order may be made without formal hearing whenever the railroad corporation affected shall assent in writing thereto, or file or join in a petition therefor, but in no case shall any such order be made until the commission shall be satisfied by such investigation as may be necessary that the rate, fare, charge or price collected was in fact illegal or unjustly discriminatory.

SECT. 4. Section 11 (f) of said chapter 164, as amended, is hereby amended by inserting after the words "railroad corporations" in the third line of said paragraph the following: or by two or more telephone utilities whose lines or wires form a continuous line of communication, or could be made to do so by the construction and maintenance of suitable connections or by the joint use of equipment or the transfer of messages at common points, between different localities which cannot be communicated with or reached by the lines of either of such utilities alone, or by such lines and other lines with which suitable connections are maintained, and by inserting after the words "railroad corporations" in the seventh and ninth lines of said paragraph the words or telephone utilities, so that said section 11 (f) as amended shall read as follows: (f) After a hearing and investigation, either upon complaint or on its own motion, the commission may establish joint services to be participated in by two or more railroad corporations, or by two or more telephone utilities whose lines or wires form a continuous line of communication, or could be made to do so by the construction and maintenance of suitable connections or by the joint use of equipment or the transfer of messages at common points, between different localities which cannot be communicated with or reached by the lines of either of such utilities alone, or by such lines and other lines with which suitable connections are maintained, and may ascertain, determine and fix just and reasonable rates, fares, charges, prices, classifications and rules and regulations relating thereto, which shall thereafter be demanded, collected, enforced and observed by such railroad corporations or telephone utilities. The commission may prescribe the division of such joint rates, fares, charges, prices and classifications between railroad corporations or telephone utilities joining in such services whenever such division shall not be made by agreement; and any division agreed upon shall be subject to revision by the commission if found to be inconsistent with the public interest, *provided*, that in establishing such

Commission may order joint service by two or more connecting telephone utilities.

through route, the commission shall not require any railroad corporation, without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith which lies between the termini of such proposed through route, unless to do so would make such through route unreasonably long as compared with another practicable through route which could otherwise be established.

Commission may order railroad to construct spur track to private premises, when it unreasonably refuses so to do.

SECT. 5. Section 11 of said chapter 164, as amended, is further amended by inserting after paragraph (f) a new paragraph as follows: (g) Every railroad company, upon the application of any corporation or person, being a shipper or receiver or contemplated shipper or receiver of freight, for a switch connection between the railroad of such railroad company and any existing or contemplated track, tracks or railroad of such corporation, person or municipal corporation, shall make such connection and provide such switches and tracks as may be necessary for that purpose and deliver and receive cars thereover, *provided* that such connection is reasonably practicable and can be installed and used without materially increasing the hazard of the operation of the railroad with which such connection is sought, and that the business which may reasonably be expected to be received by such railroad company over such connection is sufficient to justify the expense of such connection to such railroad company. Under the conditions specified in the above proviso every railroad company, upon the application of any corporation or person, being a shipper or receiver or contemplated shipper or receiver of freight, shall construct upon its right of way a spur or spurs for the purpose of receiving and delivering freight thereby, and shall receive and deliver freight thereby. Whenever the commission, after a hearing had upon its own motion or upon complaint, shall find that application has been made by any corporation or person to a railroad company for a connection or spur as provided in this section, and that the railroad company has refused to provide such connection or spur upon reasonable terms and that the applicant is entitled to have the same provided for him, the commission shall make an order requiring the providing of such connection or spur and the maintenance and use of the same upon reasonable terms which the commission shall have the power to prescribe. Whenever any such connection or spur has been so provided, any corporation or person shall be entitled to connect with the track, tracks or railroad thereby connected with the railroad of the railroad company and to use the same or to use the spur so provided upon payment to the party or parties incurring the primary expense of such track, tracks or railroad, or the connection therewith or of such spur, of a reasonable proportion of the cost thereof to be determined by the commission after notice

to the interested parties and a hearing thereon, *provided*, that such connection and use can be made without unreasonable interference with the rights of the party or parties incurring such primary expense. The commission shall likewise have the power to require one railroad company to switch to private spurs and industrial tracks upon its own railroad the cars of a connecting railroad company and to prescribe the terms and compensation for such service. And by relettering paragraphs (g), (h) and (i) of said section 11 as paragraphs (h), (i) and (j), respectively.

SECT. 6. Section 14 (a) of said chapter 164, as amended, is amended to read as follows: SECT. 14. (a) No railroad corporation or public utility shall issue any stock, bonds, notes or other evidence of indebtedness payable more than twelve months after the date thereof, without first procuring an order of the commission authorizing the same; *provided, however*, that no public utility or railroad corporation subject to the provisions of this act shall be required to apply to the commission for authority to issue stock, bonds, notes or other evidence of indebtedness for the acquisition of property, the construction, completion, extension or improvement of its facilities or the improvement or maintenance of its service entirely without this state, or the discharge or refunding of its obligations or reimbursement of moneys actually expended for such purposes; and *provided, further*, that no unincorporated person or partnership, being a public utility through the ownership, operation or management of property devoted to public use, shall be required to apply to the commission for authority to issue notes unless the same are to be secured by mortgage of the property so devoted to public use. Upon petition of a railroad corporation or public utility the commission shall, after hearing, determine the amount of securities of the class petitioned for which in its opinion is reasonably requisite for the purposes for which the issue is to be made, and shall within thirty days after final order upon such petition file in the office of the secretary of state a certificate setting out the amount of the securities which it has authorized, and the purposes for which the proceeds thereof may be used. No railroad corporation or public utility shall apply the proceeds of any stock, bonds, or notes to any other purpose than those specified in the order of the commission authorizing the issue of the same. Every railroad corporation and public utility issuing stock, bonds, or other evidence of indebtedness subject to the provisions of this section shall file with the commission an account showing in such detail as the commission shall require the disposition of the proceeds of such issue.

SECT. 7. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Issuance of short term notes, bonds, etc., regulated by commission.

Repealing clause; takes effect on passage.

[Approved March 15, 1917.]

CHAPTER 77.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 282 OF THE PUBLIC STATUTES RELATING TO THE COMPENSATION OF JAILERS FOR THE SUPPORT OF PRISONERS.\*

SECTION

1. Jailers to be allowed not less than three dollars per week for sustenance.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Jailers to be allowed not less than three dollars per week for sustenance.

SECTION 1. Amend section 4 of chapter 282 of the Public Statutes by adding thereto the following: but in no case shall the sum allowed for the sustenance of each prisoner be less than three dollars a week, so that as amended said section shall read: SECT. 4. Every jailer shall provide each prisoner in his custody with necessary sustenance, clothing, bedding, fuel, and medical attendance, and the county commissioners shall allow him, out of the county treasury, a reasonable compensation for the support of all prisoners confined on criminal process, but in no case shall the sum allowed for the sustenance of each prisoner be less than three dollars a week.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 15, 1917.]

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CHAPTER 78.

AN ACT TO AMEND CHAPTER 18 OF THE LAWS OF 1903, RELATING TO DOMESTIC INSURANCE COMPANIES.

SECTION

1. Issuance of license by commissioner regulated.  
2. Further regulations as to conditions.

SECTION

3. Renumbering sections.  
4. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Issuance of license by commissioner regulated.

SECTION 1. Amend section 2 of said chapter by striking out in the last sentence of said section the words "license shall be issued to the company" and inserting in place thereof the following:

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\* See also, chapter 72, *ante*.



and if the company is found by an examination made by or under the direction of the insurance commissioner to have complied with the laws of the state applicable to it, a license to transact the kind of business specified therein shall be issued, which shall continue in force until surrendered or revoked by due process of law, so that said section as amended shall read as follows: SECT. 2. Before license is granted to the company it shall file with the insurance commissioner a certified copy of its charter and by-laws, a certificate giving the amount of capital paid in in cash, and a full statement, under oath of its president and secretary, showing its financial standing and condition in accordance with blanks furnished by the commissioner. The company will also furnish such other information in relation to its condition as may be required by the commissioner. On compliance with the foregoing conditions and if the company is found by an examination made by or under the direction of the insurance commissioner to have complied with the laws of the state applicable to it, a license to transact the kind of business specified therein shall be issued, which shall continue in force until surrendered or revoked by due process of law.

SECT. 2. Further amend said chapter by adding the following new sections: SECT. 3. No such license shall be issued to a stock company unless in addition to its paid up capital it shall have a surplus over all liabilities, consisting of money or other lawful assets, to an amount not less than twenty-five per cent. of its capital stock. SECT. 4. No such license shall be issued to a mutual insurance company which charges a full cash premium unless it has applications for insurance aggregating not less than five hundred thousand dollars in not less than two hundred separate risks upon which it shall have received in cash at least one premium for a term not less than one year, amounting in the aggregate to at least ten thousand dollars, *provided*, that this requirement shall not apply to a mutual insurance company having a fully paid up guaranty capital of not less than twenty-five thousand dollars, nor to mutual life insurance companies, nor to mutual employers liability insurance companies.

SECT. 3. Further amend said chapter by renumbering the original "SECT. 3" and numbering it SECT. 5, so that said section shall read, SECT. 5. This act shall take effect on its passage.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 15, 1917.]



CHAPTER 79.

AN ACT IN AMENDMENT OF CHAPTER 80 OF THE LAWS OF 1907 RELATING TO MARRIAGES.

SECTION

1. Clerk of superior court or register of probate to record application for and decree granting special permission for speedy marriage.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Clerk of superior court or register of probate to record application for and decree granting special permission for speedy marriage.

SECTION 1. Section 3 of chapter 80, Laws of 1907, is hereby amended by inserting after the word "the" in the fourteenth line of said section the words clerk of the superior court or register of probate, as the case may be, for the county in which the petition is filed and shall be by said clerk or register certified to the, so that said section as amended shall read as follows: SECT. 3. If special cause exists rendering desirable the marriage of a person resident in this state below the age of consent and above the ages specified in section 1 of this act, the parties desiring to contract such marriage, with the parent or guardian having the custody of such of those parties as is below such age, if there be such parent or guardian within the state, may apply in writing to any justice of the superior court, or to the judge of probate of the county in which the party below the age of consent resides, or the county in which one of them resides, if both be below such age, for permission to contract such marriage. Such justice or judge shall at once hear the parties, and if he is satisfied that special cause exists making such marriage desirable, he shall grant his permission therefor in writing, which permission shall be filed with the clerk of the superior court or register of probate, as the case may be, for the county in which the petition is filed and shall be by said clerk or register certified to the city or town clerk to whom application is made for license to contract such marriage; and such clerk shall minute the fact of the granting of such permission upon the license issued by him, and upon the record thereof preserved by him, and upon all copies thereof which he is by law required to make.

Repealing clause; takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 15, 1917.]

## CHAPTER 80.

## AN ACT TO PROVIDE FOR THE INCORPORATION OF INSURANCE COMPANIES.

## SECTION

1. Companies may insure against certain losses by fire; lightning; earthquake; hail; explosion; breakage; leakage; marine risks; death; bodily injury; ill health; liability for damage to another; burglary; theft; forgery; breakage of glass, and bonding.
2. Ten resident members required to incorporate.
3. Company may be mutual or stock company, except for bonding, then only stock company.
4. Capitalization in certain cases.

## SECTION

5. Articles of association of stock company to provide what.
6. Articles to be submitted to insurance commissioner.
7. Charters or articles amended, how.
8. Corporate powers to expire if company ceases for one year to do business.
9. Companies subject to general provisions of corporation law not inconsistent herewith.
10. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Subject to the additional or varied requirements stated in this act a corporation may be formed pursuant to the provisions of chapter 147 of the Public Statutes as amended by chapter 1 of the Laws of 1895 and chapter 129 of the Laws of 1907, for the purpose of conducting the following kinds of insurance business:

1. \*On property and rents and use and occupancy, against loss or damage by fire, lightning, earthquake, hail or other action of the elements; explosion (other than the explosion of steam boilers or fly-wheels); breakage or leakage of apparatus erected for extinguishing fires and on such apparatus against loss or damage by accidental injury and against liability of the insured for loss or damage to property caused thereby.

2. On vessels, cars or other vehicles, freight, goods, money, effects and money loaned on bottomry and respondentia, against loss or damage from the perils of the sea and other perils usually insured against by marine insurance, or from the risk of inland navigation and transportation, and on motor vehicles, their fittings and contents and use and occupancy, against loss or damage from accident, collision, theft, or other casualty, and against liability of the owner or user thereof for injury or damage to property caused thereby.

3. On the lives of persons and every insurance pertaining thereto or connected therewith, including endowments, and to grant, purchase or dispose of annuities.

\* Amended by chapter 157, *post*.

4. Against bodily injury or death by accident, and against disablement resulting from sickness and every insurance pertaining thereto, including quarantine and identification.

5. Against the liability of the insured for the death or disability or damage to property of another.

6. On property and rents and use and occupancy, against loss or damage and against liability of the insured therefor from explosions of steam boilers, tanks and engines, their connections and machinery connected therewith, and breakage of fly-wheels and machinery and to make inspections thereof, and against loss from burglary, theft or forgery, and against loss or damage by the breakage of glass.

7. Insurance of the performance of contracts and the faithful discharge of duties.

Ten resident members required to incorporate.

SECT. 2. For the formation of such a corporation there shall be not less than ten incorporators, who shall be residents of this state.

Company may be mutual or stock company, except for bonding, then only stock company.

SECT. 3. Such a corporation may have a capital stock or may do business on the mutual plan except that a corporation formed to do the business specified in subdivision 7 of section 1 shall have a capital stock.

Capitalization in certain cases.

SECT. 4. Stock companies organized under the first and fourth subdivisions of section 1 shall have a paid up capital of at least one hundred thousand dollars. All other stock companies organized under the provisions of this act shall have a paid up capital of at least two hundred thousand dollars.

Articles of association of stock company to provide what.

SECT. 5. The articles of agreement of such a stock company may provide for the transaction of the following combinations of business: that specified in subdivision 1 of section 1 with that specified in subdivision 2; that specified in subdivisions 3, 4 and 5 or in any two of said subdivisions; that specified in subdivisions 4, 5, 6, and 7, or in any two or more of said subdivisions.

Articles to be submitted to insurance commissioner.

SECT. 6. The articles of agreement shall be submitted to the insurance commissioner, who shall examine the same. If it appears that the provisions of the law preliminary to the establishment of the corporation have been complied with, the insurance commissioner shall so certify by an endorsement upon said articles of agreement, which shall thereupon be recorded in accordance with the provisions of said chapter 147.

Charters or articles amended, how.

SECT. 7. Any insurance company organized under the laws of this state, whether by special charter or under the general law, shall be entitled to amend its charter or articles of incorporation so as to acquire the authority to do any or all kinds of insurance business which corporations organized under the provisions of this act are authorized to do, and may otherwise amend its charter or articles in any manner not inconsistent with this act, by a majority vote of all its stock, or, if a mutual company, by a majority vote of those members present and voting, at a meeting

called for that purpose. All proposed amendments duly certified to by the president and secretary of such company, shall be submitted to the insurance commissioner, who shall examine them in the same manner as provided by this act as to the original articles of agreement. If he finds that they conform to the requirements of the law, he shall so certify by an endorsement thereon. Such articles of amendment shall thereupon be recorded in the office of the clerk of the town or city in which is located its principal place of business, and in the office of the secretary of state, and shall then be deemed to be part of the charter or articles of the company.

SECT. 8. If any insurance company organized under the laws of this state, whether by special charter or under the general law, shall after it has commenced to issue policies cease for the period of one year to make new insurance, its corporate powers shall thereby expire, except as to the performance of its existing contracts, and the superior court within and for the county in which it has its principal place of business, upon petition of the insurance commissioner, may make such a decree for the settlement of its affairs and dissolution thereof as justice may require.

Corporate powers to expire if company ceases for one year to do business.

SECT. 9. Corporations organized under the provisions of this act shall be subject to all the provisions of the law relating to corporations not inconsistent herewith.

Companies subject to general provisions of corporation law not inconsistent herewith.

SECT. 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved March 15, 1917.]



## CHAPTER 81.

## AN ACT TO MAKE UNIFORM THE LAW OF BILLS OF LADING.

## SECTION

1. Scope of act defined.
2. Certain terms to be stated in bills.  
What bills of lading are negotiable.  
Liability for failure to state certain things in bill.
3. Terms and conditions inserted; what may be, and some that may not.
4. Non-negotiable, or "straight" bill, defined.
5. Negotiable or "order" bill defined.
6. Certain negotiable bills not to be issued in parts or sets; liability for violation.
7. Certain bills to be marked "duplicate," or similar word. Liability for violation.
8. Certain bills to be marked "non-negotiable."
9. Negotiable bills, not limited by certain insertions.
10. Effect of acceptance of bill, without objection to its terms.
11. Duty of carrier to deliver; conditions imposed on consignee. Burden of proof on failure to deliver.
12. To whom carrier may deliver.
13. Liability for delivery to wrong party, conditions of.
14. Same subject continued.
15. Same subject continued.
16. Alteration of bill after issue, without authority of carrier, of no effect.
17. Lost bill of lading, court may make order for delivery; procedure.
18. "Duplicate" bill of same effect as original, when.
19. Carrier can assert no title to goods after shipment, except by an assignment, transfer or lien.
20. When more than one claimant to goods, carrier may require them to interplead to determine title, etc.
21. Reasonable time allowed carrier to investigate or bring interpleader, when different persons claim goods.
22. Sections 12, 20 and 21, provide only defense for failure to deliver to consignee, or holder of non-negotiable bill.
23. Mis-description or limited description of goods in bill, affects liability of carrier, when and how.
24. Goods in possession of carrier, not subject to attachment or levy, unless bill of lading be first surrendered, or its negotiation enjoined, or it be impounded by the court.

## SECTION

25. Creditor of owner of negotiable bill, desiring to attach or levy on the goods, entitled to appropriate process.
26. Lien of carrier for charges.
27. Carrier not liable for failure to deliver, after goods sold to satisfy carrier's lien, or because unclaimed, or perishable or hazardous.
28. Bill may be negotiated by delivery, when.
29. Bill may be negotiated by endorsement, when and how.
30. Bill may be transferred by delivery, to purchaser of the goods. Indorsement of non-negotiable bill, effect of.
31. Negotiable bill may be negotiated by possessor, when.
32. What rights pass by negotiation of negotiable bill.
33. What rights pass by transfer of bill. Notice to carrier of transfer, what is, and effect thereof. Garnishment may lie when.
34. Transferor may be compelled to indorse bill he has negotiated. Takes effect when.
35. Negotiation or transfer of bill for value, impliedly warrants, what. Liability of assignor of a claim secured by bill, limited.
36. Endorsement of bill creates no liability for failure of carrier or previous indorser.
37. One holding bill as security for debt not deemed to warrant genuineness of bill or goods by accepting payment of debt.
38. Purchase for value without notice, cuts off equities.
39. Vendor or pledgor of bill or goods, allowed by vendee to retain possession of bill may negotiate same to another purchaser for value without notice and convey good title.
40. Right to possession of goods which shipper has contracted to sell, how indicated on bill in certain cases.
41. When bill is appended by seller of goods, to draft on purchaser, the buyer and all interested may assume, what. Application of the provision.



## SECTION

42. Neither seller's lien nor right of stoppage *in transitu*, to defeat right of purchaser for value in good faith of negotiable bill.
43. Rights and remedies of mortgagee or holder of lien on goods, limited only, by what.
44. Penalty for intentionally defrauding.
45. Penalty for issuing bill knowing it to contain false statement.
46. Penalty for fraudulently issuing duplicate bill.
47. Penalty for fraudulently negotiating bill in certain cases.
48. Same subject continued.

## SECTION

49. Penalty for fraudulently securing issuance of bill.
50. Penalty for fraudulently issuing a non-negotiable bill without affixing the words "non-negotiable."
51. Cases not within this act, governed by what law.
52. Act to be interpreted so as to effect general purpose.
53. Definition of certain terms.
54. Act not retroactive.
55. Repealing clause.
56. Takes effect June 1, 1917.
57. To be cited as "Uniform bills of lading act."

*Be it enacted by the Senate and House of Representatives in General Court convened:*

## PART I.

## The Issue of Bills of Lading.

SECTION 1. Bills of lading issued by any common carrier shall be governed by this act. Scope of act defined.

SECT. 2. Every bill must embody within its written or printed terms: (a) the date of its issue, (b) the name of the person from whom the goods have been received, (c) the place where the goods have been received, (d) the place to which the goods are to be transported, (e) a statement whether the goods received will be delivered to a specified person, or to the order of a specified person, (f) a description of the goods or of the packages containing them which may, however, be in such general terms as are referred to in section 23, and (g) the signature of the carrier. Certain terms to be stated in bills. What bills of lading are negotiable. Liability for failure to state certain things in bill.

A negotiable bill shall have the words "order of" printed thereon immediately before the name of the person upon whose order the goods received are deliverable.

A carrier shall be liable to any person injured thereby for the damage caused by the omission from a negotiable bill of any of the provisions required in this section.

SECT. 3. A carrier may insert in a bill, issued by him, any other terms and conditions, *provided* that such terms and conditions shall not: (a) be contrary to law or public policy, or (b) in anywise impair his obligation to exercise at least that degree of care in the transportation and safe-keeping of the goods entrusted to him which a reasonably careful man would exercise in regard to similar goods of his own. Terms and conditions inserted; what may be, and some that may not.

SECT. 4. A bill in which it is stated that the goods are consigned or destined to a specified person, is a non-negotiable or straight bill. Non-negotiable, or "straight" bill, defined.

Negotiable or  
"order" bill  
defined.

SECT. 5. A bill in which it is stated that the goods are consigned or destined to the order of any person named in such bill, is a negotiable or order bill. Any provision in such a bill that it is non-negotiable shall not affect its negotiability within the meaning of this act.

Certain negotiable  
bills not to be  
issued in parts  
or sets; liability  
for violation.

SECT. 6. Negotiable bills issued in this state for the transportation of goods to any place in the United States on the continent of North America, except Alaska, shall not be issued in parts or sets. If so issued the carrier issuing them shall be liable for failure to deliver the goods described therein to any one who purchases a part for value in good faith, even though the purchase be after the delivery of the goods by the carrier to a holder of one of the other parts.

Certain bills to be  
marked "duplic-  
cate," or similar  
word. Liability  
for violation.

SECT. 7. When more than one negotiable bill is issued in this state for the same goods to be transported to any place in the United States on the continent of North America, except Alaska, the word "duplicate" or some other word or words indicating that the document is not an original bill shall be placed plainly upon the face of every such bill, except the one first issued. A carrier shall be liable for the damage caused by his failure so to do to any one who has purchased the bill for value in good faith as an original, even though the purchase be after the delivery of the goods by the carrier to the holder of the original bill.

Certain bills to be  
marked "non-  
negotiable."

SECT. 8. A non-negotiable bill shall have placed plainly upon its face by the carrier issuing it "non-negotiable" or "not negotiable." This section shall not apply, however, to memoranda or acknowledgments of an informal character.

Negotiable bills,  
not limited by cer-  
tain insertions.

SECT. 9. The insertion in a negotiable bill of the name of a person to be notified of the arrival of the goods shall not limit the negotiability of the bill, or constitute notice to a purchaser thereof of any rights or equities of such person in the goods.

Effect of accept-  
ance of bill, with-  
out objection to  
its terms.

SECT. 10. Except as otherwise provided in this act, where a consignor receives a bill and makes no objection to its terms or conditions at the time he receives it, neither the consignor nor any person who accepts delivery of the goods, nor any person who seeks to enforce any provision of the bill, shall be allowed to deny that he is bound by such terms and conditions, so far as they are not contrary to law or public policy.

## PART II.

### Obligations and Rights of Carriers upon their Bills of Lading.

Duty of carrier to  
deliver; conditions  
imposed on con-  
signee. Burden of  
proof on failure  
to deliver.

SECT. 11. A carrier, in the absence of some lawful excuse, is bound to deliver goods upon a demand made either by the consignee named in the bill for the goods, or if the bill is negotiable, by the holder thereof, if such demand is accompanied by: (a) an

offer in good faith to satisfy the carrier's lawful lien upon the goods, (b) an offer in good faith to surrender, properly indorsed, the bill which was issued for the goods, if the bill is negotiable, and (c) a readiness and willingness to sign, when the goods are delivered, an acknowledgment that they have been delivered, if such signature is requested by the carrier. In case the carrier refuses or fails to deliver the goods in compliance with a demand by the consignee or holder so accompanied, the burden shall be upon the carrier to establish the existence of a lawful excuse for such refusal or failure.

SECT. 12. A carrier is justified, subject to the provisions of the three following sections, in delivering goods to one who is: (a) a person lawfully entitled to the possession of the goods, or (b) the consignee named in a non-negotiable bill for the goods, or (c) a person in possession of a negotiable bill for the goods by the terms of which the goods are deliverable to his order, or which has been indorsed to him or in blank by the consignee or by the mediate or immediate indorsee of the consignee. To whom carrier may deliver.

SECT. 13. Where a carrier delivers goods to one who is not lawfully entitled to the possession of them, the carrier shall be liable to any one having a right of property or possession in the goods if he delivered the goods otherwise than as authorized by subdivisions (b) and (c) of the preceding section; and, though he delivered the goods as authorized by either of said subdivisions, he shall be so liable if prior to such delivery he: (a) had been requested, by or on behalf of a person having a right of property or possession in the goods, not to make such delivery, or (b) had information at the time of the delivery that it was to a person not lawfully entitled to the possession of the goods. A request or information to be effective within the meaning of this section must be given to an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a request or information, and must be given in time to enable the officer or agent to whom it is given, acting with reasonable diligence, to stop delivery of the goods. Liability for delivery to wrong party, conditions of.

SECT. 14. Except as provided in section 27, and except when compelled by legal process, if a carrier delivers goods for which a negotiable bill had been issued, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel the bill, such carrier shall be liable for failure to deliver the goods to any one who for value and in good faith purchases such bill, whether such purchaser acquired title to the bill before or after the delivery of the goods by the carrier, and notwithstanding delivery was made to the person entitled thereto. Same subject continued.

SECT. 15. Except as provided in section 27, and except when compelled by legal process, if a carrier delivers part of the goods for which a negotiable bill had been issued and fails either: (a)" Same subject continued.

to take up and cancel the bill, or (b) to place plainly upon it a statement that a portion of the goods has been delivered, with a description, which may be in general terms, either of the goods or packages that have been so delivered or of the goods or packages which still remain in the carrier's possession, he shall be liable for failure to deliver all the goods specified in the bill, to any one who for value and in good faith purchases it, whether such purchaser acquired title to it before or after the delivery of any portion of the goods by the carrier, and notwithstanding such delivery was made to the person entitled thereto.

Alteration of bill after issue, without authority of carrier, of no effect.

SECT. 16. Any alteration, addition or erasure in a bill after its issue without authority from the carrier issuing the same either in writing or noted on the bill shall be void, whatever be the nature and purpose of the change, and the bill shall be enforceable according to its original tenor.

Lost bill of lading, court may make order for delivery; procedure.

SECT. 17. Where a negotiable bill has been lost or destroyed, a court of competent jurisdiction may order the delivery of the goods upon satisfactory proof of such loss or destruction and upon the giving of a bond with sufficient surety to be approved by the court to protect the carrier or any person injured by such delivery from any liability or loss, incurred by reason of the original bill remaining outstanding. The court may also in its discretion order the payment of the carrier's reasonable costs and counsel fees. The delivery of the goods under an order of the court as provided in this section, shall not relieve the carrier from liability to a person to whom the negotiable bill has been or shall be negotiated for value without notice of the proceedings or of the delivery of the goods.

"Duplicate" bill of same effect as original, when.

SECT. 18. A bill upon the face of which the word "duplicate" or some other word or words indicating that the document is not an original bill is placed plainly shall impose upon the carrier issuing the same the liability of one who represents and warrants, that such bill is an accurate copy of an original bill properly issued, but no other liability.

Carrier can assert no title to goods after shipment, except by an assignment, transfer or lien.

SECT. 19. No title to goods or right to their possession, asserted by a carrier for his own benefit, shall excuse him from liability for refusing to deliver the goods according to the terms of a bill issued for them, unless such title or right is derived directly or indirectly from a transfer made by the consignor or consignee after the shipment, or from the carrier's lien.

When more than one claimant to goods, carrier may require them to interplead to determine title, etc.

SECT. 20. If more than one person claims the title or possession of goods, the carrier may require all known claimants to interplead, either as a defense to an action brought against him for non-delivery of the goods, or as an original suit, whichever is appropriate.

Reasonable time allowed carrier to investigate or

SECT. 21. If some one other than the consignee or person in possession of the bill, has a claim to the title or possession of the



goods, and the carrier has information of such claim, the carrier shall be excused from liability for refusing to deliver the goods either to the consignee or person in possession of the bill, or to the adverse claimant, until the carrier has had a reasonable time to ascertain the validity of the adverse claim or to bring legal proceedings to compel all claimants to interplead.

bring interpleader, when different persons claim goods.

SECT. 22. Except as provided in the two preceding sections and in section 12, no right or title of a third person unless enforced by legal process shall be a defence to an action brought by the consignee of a non-negotiable bill or by the holder of a negotiable bill against the carrier for failure to deliver the goods on demand.

Sections 12, 20 and 21, provide only defense for failure to deliver consignee, or holder of non-negotiable bill.

SECT. 23. If a bill of lading has been issued by a carrier or on his behalf by an agent or employee the scope of whose actual or apparent authority includes the issuing of bills of lading, the carrier shall be liable to: (a) the consignee named in a non-negotiable bill, or (b) the holder of a negotiable bill, who has given value in good faith relying upon the description therein of the goods, for damages caused by the non-receipt by the carrier or a connecting carrier of all or part of the goods or their failure to correspond with the description thereof in the bill at the time of its issue. If, however, the goods are described in a bill merely by a statement of marks or labels upon them or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind or quantity, or in a certain condition, or it is stated in the bill that packages are said to contain goods of a certain kind or quantity or in a certain condition, or that the contents or condition of the contents of packages are unknown, or words of like purport are contained in the bill, such statements, if true, shall not make liable the carrier issuing the bill, although the goods are not of the kind or quantity or in the condition which the marks or labels upon them indicate, or of the kind or quantity or in the condition they were said to be by the consignor. The carrier may, also, by inserting in the bill the words "shipper's load and count" or other words of like purport indicate that the goods were loaded by the shipper and the description of them made by him; and if such statement be true, the carrier shall not be liable for damages caused by the improper loading or by the non-receipt or by the misdescription of the goods described in the bill.

Mis-description or limited description of goods in bill, affects liability of carrier, when and how.

SECT. 24. If goods are delivered to a carrier by the owner or by a person whose act in conveying the title to them to a purchaser for value in good faith would bind the owner and a negotiable bill is issued for them, they cannot thereafter, while in the possession of the carrier, be attached by garnishment or otherwise, or be levied upon under an execution, unless the bill be first surrendered to the carrier or its negotiation enjoined. The car-

Goods in possession of carrier, not subject to attachment or levy, unless bill of lading be first surrendered, or its negotiation enjoined, or it be impounded by the court.



rier shall in no such case be compelled to deliver the actual possession of the goods until the bill is surrendered to him or impounded by the court.

Creditor of owner of negotiable bill, desiring to attach or levy on the goods, entitled to appropriate process.

SECT. 25. A creditor whose debtor is the owner of a negotiable bill shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such bill, or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

Lien of carrier for charges.

SECT. 26. If a negotiable bill is issued the carrier shall have no lien on the goods therein mentioned, except for charges on those goods for freight, storage, demurrage and terminal charges, and expenses necessary for the preservation of the goods or incident to their transportation subsequent to the date of the bill, unless the bill expressly enumerates other charges for which a lien is claimed. In such case there shall also be a lien for the charges enumerated so far as they are allowed by law and the contract between the consignor and the carrier.

Carrier not liable for failure to deliver, after goods sold to satisfy carrier's lien, or because unclaimed, or perishable or hazardous.

SECT. 27. After goods have been lawfully sold to satisfy a carrier's lien, or because they have not been claimed, or because they are perishable or hazardous, the carrier shall not thereafter be liable for failure to deliver the goods to the consignee or owner of the goods, or to a holder of the bill given for the goods when they were shipped, even if such bill be negotiable.

### PART III.

#### Negotiation and Transfer of Bills.

Bill may be negotiated by delivery, when.

SECT. 28. A negotiable bill may be negotiated by delivery where, by the terms of the bill, the carrier undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the bill has indorsed it in blank.

Bill may be negotiated by endorsement, when and how.

SECT. 29. A negotiable bill may be negotiated by the indorsement of the person to whose order the goods are deliverable by the tenor of the bill. Such indorsement may be in blank or to a specified person. If indorsed to a specified person, it may be negotiated again by the indorsement of such person in blank or to another specified person. Subsequent negotiation may be made in like manner.

Bill may be transferred by delivery, to purchaser of the goods. Indorsement of non-negotiable bill, effect of.

SECT. 30. A bill may be transferred by the holder by delivery, accompanied with an agreement, express or implied, to transfer the title to the bill or to the goods represented thereby.

A non-negotiable bill cannot be negotiated, and the indorsement of such a bill gives the transferee no additional right.

Negotiable bill may be negotiated by possessor, when.

SECT. 31. A negotiable bill may be negotiated by any person in possession of the same, however such possession may have been acquired if, by the terms of the bill, the carrier undertakes to

deliver the goods to the order of such person, or if at the time of negotiation the bill is in such form that it may be negotiated by delivery.

SECT. 32. A person to whom a negotiable bill has been duly negotiated acquires thereby: (a) such title to the goods as the person negotiating the bill to him had or had ability to convey to a purchaser in good faith for value, and also such title to the goods as the consignee and consignor had or had power to convey to a purchaser in good faith for value, and (b) the direct obligation of the carrier to hold possession of the goods for him according to the terms of the bill as fully as if the carrier had contracted directly with him.

What rights pass by negotiation of negotiable bill.

SECT. 33. A person to whom a bill has been transferred but not negotiated acquires thereby as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor. If the bill is non-negotiable, such person also acquires the right to notify the carrier of the transfer to him of such bill, and thereby to become the direct obligee of whatever obligations the carrier owed to the transferor of the bill immediately before the notification. Prior to the notification of the carrier by the transferor or transferee of a non-negotiable bill, the title of the transferee to the goods and the right to acquire the obligation of the carrier may be defeated by garnishment or by attachment or execution upon the goods by a creditor of the transferor, or by a notification to the carrier by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

What rights pass by transfer of bill. Notice to carrier of transfer, what is, and effect thereof. Garnishment may lie when.

A carrier has not received notification within the meaning of this section unless an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a notification, has been notified; and no notification shall be effective until the officer or agent to whom it is given has had time with the exercise of reasonable diligence to communicate with the agent or agents having actual possession or control of the goods.

SECT. 34. Where a negotiable bill is transferred for value by delivery, and the indorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to indorse the bill, unless a contrary intention appears. The negotiation shall take effect as of the time when the indorsement is actually made. This obligation may be specifically enforced.

Transferor may be compelled to indorse bill he has negotiated. Takes effect when.

SECT. 35. A person who negotiates or transfers for value a bill by indorsement or delivery, including one who assigns for value a claim secured by a bill, unless a contrary intention appears, warrants: (a) that the bill is genuine, (b) that he has a legal right to transfer it, (c) that he has knowledge of no fact which would impair the validity or worth of the bill, and (d)

Negotiation or transfer of bill for value, impliedly warrants, what. Liability of assignor of a claim secured by bill, limited.

that he has a right to transfer the title to the goods, and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied, if the contract of the parties had been to transfer without a bill the goods represented thereby.

In the case of an assignment of a claim secured by a bill, the liability of the assignor shall not exceed the amount of the claim.

Endorsement of bill creates no liability for failure of carrier or previous indorser. One holding bill as security for debt, not deemed to warrant genuineness of bill or goods by accepting payment of debt.

SECT. 36. The indorsement of a bill shall not make the indorser liable for any failure on the part of the carrier or previous indorsers of the bill to fulfill their respective obligations.

SECT. 37. A mortgagee or pledgee, or other holder of a bill for security who in good faith demands or receives payment of the debt for which such bill is security, whether from a party to a draft drawn for such debt or from any other person, shall not be deemed by so doing to represent or to warrant the genuineness of such bill or the quantity or quality of the goods therein described.

Purchase for value without notice, cuts off equities.

SECT. 38. The validity of the negotiation of a bill is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the bill was deprived of the possession of the same by fraud, accident, mistake, duress or conversion, if the person to whom the bill was negotiated, or a person to whom the bill was subsequently negotiated, gave value therefor in good faith, without notice of the breach of duty, or fraud, accident, mistake, duress or conversion.

Vendor or pledgor of bill or goods, allowed by vendee to retain possession of bill may negotiate same to another purchaser for value without notice and convey good title.

SECT. 39. Where a person having sold, mortgaged, or pledged goods which are in a carrier's possession and for which a negotiable bill has been issued, or having sold, mortgaged, or pledged the negotiable bill representing such goods, continues in possession of the negotiable bill, the subsequent negotiation thereof by that person under any sale, pledge, or other disposition thereof to any person receiving the same in good faith for value and without notice of the previous sale, shall have the same effect as if the first purchaser of the goods or bill had expressly authorized the subsequent negotiation.

Right to possession of goods which shipper has contracted to sell, how indicated on bill in certain cases.

SECT. 40. Where goods are shipped by the consignor in accordance with a contract or order for their purchase, the form in which the bill is taken by the consignor shall indicate the transfer or retention of the property or right to the possession of the goods as follows:

(a) Where by the bill the goods are deliverable to the buyer or to his agent, or to the order of the buyer or of his agent, the consignor thereby transfers the property in the goods to the buyer.

(b) Where by the bill the goods are deliverable to the seller or to his agent, or to the order of the seller or of his agent, the



seller thereby reserves the property in the goods. But if, except for the form of the bill, the property would have passed to the buyer on shipment of the goods, the seller's property in the goods shall be deemed to be only for the purpose of securing performance by the buyer of his obligations under the contract.

(c) Where by the bill the goods are deliverable to the order of the buyer or of his agent, but possession of the bill is retained by the seller or his agent, the seller thereby reserves a right to the possession of the goods, as against the buyer.

(d) Where the seller draws on the buyer for the price and transmits the draft and bill together to the buyer to secure acceptance or payment of the draft, the buyer is bound to return the bill if he does not honor the draft, and if he wrongfully retains the bill he acquires no added right thereby. If, however, the bill provides that the goods are deliverable to the buyer, or to the order of the buyer, or is endorsed in blank or to the buyer by the consignee named therein, one who purchases in good faith, for value, the bill or goods from the buyer, shall obtain the title to the goods, although the draft has not been honored, if such purchaser has received delivery of the bill indorsed by the consignee named therein, or of the goods, without notice of the facts making the transfer wrongful.

SECT. 41. Where the seller of goods draws on the buyer for the price of the goods and transmits the draft and a bill of lading for the goods either directly to the buyer or through a bank or other agency, unless a different intention on the part of the seller appears, the buyer and all other parties interested shall be justified in assuming: (a) if the draft is by its terms or legal effect payable on demand or presentation or at sight, or not more than three days thereafter (whether such three days be termed days of grace or not), that the seller intended to require payment of the draft before the buyer should be entitled to receive or retain the bill. (b) If the draft is by its terms payable on time, extending beyond three days after demand, presentation or sight (whether such three days be termed days of grace or not), that the seller intended to require acceptance, but not payment of the draft before the buyer should be entitled to receive or retain the bill.

The provisions of this section are applicable whether by the terms of the bill the goods are consigned to the seller, or to his order, or to the buyer, or to his order, or to a third person, or to his order.

SECT. 42. Where a negotiable bill has been issued for goods, no seller's lien or right of stoppage *in transitu* shall defeat the rights of any purchaser for value in good faith to whom such bill has been negotiated, whether such negotiation be prior or subsequent to the notification to the carrier who issued such bill of the seller's claim to a lien or right of stoppage *in transitu*. Nor

When bill is appended by seller of goods, to draft on purchaser, the buyer and all interested may assume, what, Application of the provision.

Neither seller's lien nor right of stoppage *in transitu*, to defeat right of purchaser for value in good faith of negotiable bill.



shall the carrier be obliged to deliver or justified in delivering the goods to an unpaid seller unless such bill is first surrendered for cancellation.

Rights and remedies of mortgagee or holder of lien on goods, limited only, by what.

SECT. 43. Except as provided in section 42, nothing in this act shall limit the rights and remedies of a mortgagee or lienholder whose mortgage or lien on goods would be valid, apart from this act, as against one who for value and in good faith purchased from the owner, immediately prior to the time of their delivery to the carrier, the goods which are subject to the mortgage or lien and obtained possession of them.

#### PART IV.

#### Criminal Offenses.

Penalty for intentionally defrauding.

SECT. 44. Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a bill knowing that all or any part of the goods for which such bill is issued have not been received by such carrier, or by an agent of such carrier or by a connecting carrier, or are not under the carrier's control at the time of issuing such bill, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

Penalty for issuing bill knowing it to contain false statement.

SECT. 45. Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a bill for goods knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

Penalty for fraudulently issuing duplicate bill.

SECT. 46. Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a duplicate or additional negotiable bill for goods in violation of the provisions of section 7, knowing that a former negotiable bill for the same goods or any part of them is outstanding and uncanceled, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

Penalty for fraudulently negotiating bill in certain cases.

SECT. 47. Any person who ships goods to which he has not title, or upon which there is a lien or mortgage, and who takes for such goods a negotiable bill which he afterwards negotiates for value with intent to deceive and without disclosing his want of title or the existence of the lien or mortgage, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

SECT. 48. Any person who with intent to deceive negotiates or transfers for value a bill knowing that any or all of the goods which by the terms of such bill appear to have been received for transportation by the carrier which issued the bill, are not in the possession or control of such carrier, or of a connecting carrier, without disclosing this fact, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

Same subject continued.

SECT. 49. Any person who with intent to defraud secures the issue by a carrier of a bill knowing that at the time of such issue, any or all of the goods described in such bill as received for transportation have not been received by such carrier, or an agent of such carrier or a connecting carrier, or are not under the carrier's control, by inducing an officer, agent, or servant of such carrier falsely to believe that such goods have been received by such carrier, or are under its control, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

Penalty for fraudulently securing issuance of bill.

SECT. 50. Any person who with intent to defraud issues or aids in issuing a non-negotiable bill without the words "not negotiable" placed plainly upon the face thereof, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years or by a fine not exceeding five thousand dollars, or by both.

Penalty for fraudulently issuing a non-negotiable bill without affixing the words "non-negotiable."

## PART V.

### Interpretations.

SECT. 51. In any case not provided for in this act, the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent, executors, administrators and trustees, and to the effect of fraud, misrepresentation, duress or coercion, accident, mistake, bankruptcy, or other invalidating cause, shall govern.

Cases not within this act, governed by what law.

SECT. 52. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Act to be interpreted so as to effect general purpose.

SECT. 53. (1) In this act, unless the context or subject-matter otherwise requires:

Definition of certain terms.

"Action" includes counter claim, set-off, and suit in equity.

"Bill" means bill of lading.

"Consignee" means the person named in the bill as the person to whom delivery of the goods is to be made.

“Consignor” means the person named in the bill as the person from whom the goods have been received for shipment.

“Goods” means merchandise or chattels in course of transportation, or which have been or are about to be transported.

“Holder” of a bill means a person who has both actual possession of such bill and a right of property therein.

“Order” means an order by indorsement on the bill.

“Owner” does not include mortgagee or pledgee.

“Person” includes a corporation or partnership or two or more persons having a joint or common interest.

“To purchase” includes to take as mortgagee and to take as pledgee.

“Purchaser” includes mortgagee and pledgee.

“Value” is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not, constitutes value where a bill is taken either in satisfaction thereof or as security therefor.

(2) A thing is done “in good faith,” within the meaning of this act, when it is in fact done honestly, whether it be done negligently or not.

Act not retro-  
active.

SECT. 54. The provisions of this act do not apply to bills made and delivered prior to the taking effect thereof.

Repealing clause.

SECT. 55. All acts or parts of acts inconsistent with this act are hereby repealed.

Takes effect June  
1, 1917.

SECT. 56. This act shall take effect on the first day of June, one thousand nine hundred and seventeen.

To be cited as  
“Uniform bills of  
lading act.”

SECT. 57. This act may be cited as the uniform bills of lading act.

[Approved March 20, 1917.]

CHAPTER 82.

AN ACT IN REPEAL OF CHAPTER 95 OF THE LAWS OF 1895, ENTITLED "AN ACT IN RELATION TO STREET RAILWAYS," AND IN AMENDMENT OF CHAPTER 164 OF THE LAWS OF 1911, AS AMENDED BY CHAPTERS 98, 99 AND 145, LAWS OF 1913, AND CHAPTERS 52 AND 99, LAWS OF 1915, BEING "AN ACT TO ESTABLISH A PUBLIC SERVICE COMMISSION."

SECTION

- 1. Repealing Laws of 1895, ch. 95.
- 2. Commission may permit public utility to temporarily or permanently suspend operation, when.

SECTION

- 3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 95 of the Laws of 1895 is hereby repealed.

Repealing Laws of 1895, ch. 95.  
Commission may permit public utility to temporarily or permanently suspend operation, when.

SECT. 2. Chapter 164 of the Laws of 1911, as amended by chapters 98, 99 and 145, Laws of 1913, and chapters 52 and 99, Laws of 1915, being "An Act to establish a public service commission," is hereby amended by renumbering section 26 and calling it section 27 and substituting for section 26 the following section: SECT. 26. The public service commission, upon application, shall have the power to authorize any company operating a street railway or any public utility to temporarily or permanently discontinue the operation of any part of its road in the case of a street railway, or any part of its service in the case of a public utility, whenever it shall appear that such discontinuance will not unreasonably inconvenience the public.

SECT. 3. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 20, 1917.]



## CHAPTER 83.

## AN ACT TO AMEND SECTION 14 OF CHAPTER 169 OF THE PUBLIC STATUTES RELATING TO THE TAXATION OF FOREIGN INSURANCE COMPANIES.

SECTION 1. Two per cent. state tax on mutual fire insurance companies, reduced, when and how.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Two per cent.  
state tax on  
mutual fire insur-  
ance companies,  
reduced, when  
and how.

SECTION 1. Amend section 14, chapter 169 of the Public Statutes as amended by section 1, chapter 100, Laws of 1895, section 1, chapter 64, Laws of 1899, section 1, chapter 67, Laws of 1901, section 1, chapter 109, Laws of 1905, section 1, chapter 78, Laws of 1909, and section 1, chapter 47, Laws of 1915, by inserting after the words "as assessed by the commissioner" the following: and a further deduction in the case of all mutual fire insurance companies, taxable under the provisions of this section, of the amount of all unabsorbed premium deposits actually returned or credited to policyholders upon business in this state during the year for which the tax is determined, so as to read as follows:

SECT. 14. Every such fire, marine, fidelity, and casualty insurance company shall pay to the state treasurer, within one month after receiving notice from the insurance commissioner of the amount thereof, a tax of two per cent. upon the gross premiums received by it, less return premiums and reinsurance, when effected in authorized companies by the companies' licensed resident agents or in companies organized under the laws of this state, upon business done within the state, during the year ending on the thirty-first day of the preceding December, as assessed by the commissioner, and a further deduction in the case of all mutual fire insurance companies, taxable under the provisions of this section, of the amount of all unabsorbed premium deposits actually returned or credited to policyholders upon business in this state during the year for which the tax is determined; and every such life insurance company shall pay to the state treasurer, within one month after receiving notice from the insurance commissioner of the amount thereof, a tax of two per cent. upon the gross premiums received by it from residents of the state during said year, less payments to residents of this state on account of death losses paid within the year; *provided, however*, that the tax assessed upon any such life insurance company shall not be less than an amount equal to one and one-half per cent. of the gross premiums received by it from residents of the state during said year.

[Approved March 20, 1917.]

CHAPTER 84.

AN ACT IN AMENDMENT OF CHAPTER 185 OF THE LAWS OF 1913, AS AMENDED BY CHAPTER 117 OF THE LAWS OF 1915, BEING "AN ACT RELATING TO THE INSPECTION AND LICENSING OF BOATS, AND THE EXAMINATION AND LICENSING OF THEIR CAPTAINS, MASTERS, ENGINEERS AND PILOTS."

SECTION

- 1. Boats maintained for use of minors, in private schools, to be deemed "kept for hire."
- 2. Fees for inspection of boats; and fees for certificates of captains, etc., classified.

SECTION

- 3. Repealing clause; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 185 of the Laws of 1913, as amended by chapter 117 of the Laws of 1915, being "An Act relating to the inspection and licensing of boats, and the examination and licensing of their captains, masters, engineers and pilots," is amended by adding at the end of section 1 of said act, as amended, the following: Boats used by the proprietor of any school or camp in which boys or girls less than twenty-one years of age are received for compensation, or by any officer, agent or employee of such proprietor, for the transportation of any of such boys or girls, shall be deemed to be boats kept for hire.

SECT. 2. Section 4 of said chapter 185, as amended, is amended to read as follows: SECT. 4. There shall be paid for every such boat inspected, as to which a certificate is given by said commission, the sum of six cents per mile, from Concord to the place where said boat is examined, apportioned equally between all boats examined by the same person on the same day, and a fee based upon the following schedule:

- Boats used for passengers only, or for passengers and freight:
- All such as are permitted to carry a maximum of not exceeding ten persons,
- For the first boat..... \$5.00
- For each additional boat belonging to the same owner and kept at the same place..... 3.00
- All such as are permitted to carry a maximum of more than ten and not exceeding twenty-five persons,
- For the first boat..... \$10.00
- For each additional boat belonging to the same owner and kept at the same place..... 3.00
- All such as are permitted to carry at maximum of more than twenty-five and not exceeding one hundred and fifty persons,
- For the first boat..... \$15.00

For each additional boat belonging to the same owner and kept at the same place..... \$5.00  
All such as are permitted to carry over one hundred and fifty persons,  
For the first boat..... \$25.00  
For each additional boat belonging to the same owner and kept at the same place..... 5.00  
Boats used exclusively for towing freight..... \$10.00  
Payment thereof shall be made before the issuance of the certificate.  
The fees above prescribed shall include suitable number plates to be furnished without further cost to the boat owner. There shall be paid for every general certificate of captain, master, engineer, or pilot, two dollars; and for every limited certificate of captain, master, engineer, or pilot, one dollar. A general certificate shall entitle the holder thereof to act in the capacity named on any boat of a class or classes described in the certificate; a limited certificate shall entitle him to act in such capacity only on a particular boat named in the certificate. Only one certificate shall be required to entitle the holder thereof to act in any or all the above capacities on any motor boat or boats permitted to carry a maximum of not exceeding twenty-five persons.

Repealing clause;  
takes effect on  
passage.

SECT. 3. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 20, 1917.]

CHAPTER 85.

AN ACT TO PROVIDE WHOLE FAMILY PROTECTION FOR MEMBERS OF FRATERNAL BENEFIT SOCIETIES.

SECTION

1. Fraternal benefit lodges may provide death benefit for children of members between two and eighteen years of age.
2. Child to pass medical examination; and certificate to issue, when. Death benefit contributions to be based on certain tables.
3. Reserve fund to be maintained by society. Certificate exchangeable, when.

SECTION

4. Separate financial account of such to be kept, and reported in annual reports.
5. Society may require specified payments for expense and general fund.
6. Parent retiring from lodge, certificate continued, when.
7. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Fraternal benefit  
lodges may pro-  
vide death benefit

SECTION 1. Any fraternal benefit society authorized to do business in this state and operating on the lodge plan, may provide in

its constitution and by-laws, in addition to other benefits provided for therein, for the payment of death or annuity benefits upon the lives of children between the ages of two and eighteen years at next birthday, for whose support and maintenance a member of such society is responsible. Any such society may at its option, organize and operate branches for such children and membership in local lodges and initiation therein shall not be required of such children, nor shall they have any voice in the management of the society. The total benefits payable as above provided shall in no case exceed the following amounts at ages at next birthday at time of death, respectively, as follows: two, thirty-four dollars; three, forty dollars; four, forty-eight dollars; five, fifty-eight dollars; six, one hundred and forty dollars; seven, one hundred and sixty-eight dollars; eight, two hundred dollars; nine, two hundred and forty dollars; ten, three hundred dollars; eleven, three hundred and eighty dollars; twelve, four hundred and sixty dollars; thirteen to fifteen, five hundred and twenty dollars; and sixteen to eighteen years, six hundred dollars.

SECT. 2. No benefit certificate as to any child shall take effect until after medical examination or inspection by a licensed medical practitioner, in accordance with the laws of the society, nor shall any such benefit certificate be issued unless the society shall simultaneously put in force or shall already have in force at least five hundred such certificates, on each of which at least one assessment has been paid, nor where the number of lives represented by such certificates already in force or simultaneously put in force fall below five hundred. The death benefit contributions to be made upon such certificate shall be based upon the Standard Industrial Mortality Table or the English Life Table Number Six and a rate of interest not greater than four per cent. per annum, or upon a higher standard; *provided* that contributions may be waived or returns may be made from any surplus held in excess of reserve and other liabilities, as provided in the by-laws, and, *provided, further*, that extra contributions shall be made if the reserves hereafter provided for become impaired.

SECT. 3. Any society entering into such insurance agreements shall maintain on all such contracts the reserve required by the standard of mortality and interest adopted by the society for computing contributions as provided in section 2, and the funds representing the benefit contributions and all accretions thereon shall be kept as separate and distinct funds, independent of the other funds of the society, and shall not be liable for nor used for the payment of the debts and obligations of the society other than the benefits herein authorized; *provided*, that a society may provide that when a child reaches the minimum age for initiation into membership in such society any benefit certificate issued hereunder may be surrendered for cancellation and exchanged for any other form of

for children of  
members between  
two and eighteen  
years of age.

Child to pass med-  
ical examination;  
and certificate to  
issue, when.  
Death benefit con-  
tributions to be  
based on certain  
tables.

Reserve fund to  
be maintained by  
society. Certifi-  
cate exchangeable,  
when.



certificate issued by the society, *provided* that such surrender will not reduce the number of lives insured in the branch below five hundred, and upon the issuance of such new certificate any reserve upon the original certificate herein provided for shall be transferred to the credit of the new certificate. Neither the person who originally made application for benefits on account of such child, nor the beneficiary named in such original certificate, nor the person who paid the contributions, shall have any vested right in such new certificate, the free nomination of a beneficiary under the new certificate being left to the child so admitted to benefit membership.

Separate financial account of such to be kept, and reported in annual reports.

SECT. 4. An entirely separate financial statement of the business transactions and of assets and liabilities arising therefrom shall be made in its annual report to the insurance commissioner by any society availing itself of the provisions hereof. The separation of assets, funds and liabilities required hereby shall not be terminated, rescinded or modified, nor shall the funds be diverted for any use other than as specified in section 3, as long as any certificates issued hereunder remain in force, and this requirement shall be recognized and enforced in any liquidation, reinsurance, merger or other change in the condition of the status of the society.

Society may require specified payments for expense and general fund.

SECT. 5. Any society shall have the right to provide in its laws and the certificate issued hereunder for specified payments on account of the expense or general fund, which payments shall or shall not be mingled with the general fund of the society as its constitution and by-laws may provide.

Parent retiring from lodge, certificate continued, when.

SECT. 6. In the event of the termination of membership in the society by the person responsible for the support of any child, on whose account a certificate may have been issued, as provided herein, the certificate may be continued for the benefit of the estate of the child *provided* the contributions are continued, or for the benefit of any other person responsible for the support and maintenance of such child, who shall assume the payment of the required contributions.

Repealing clause; takes effect on passage.

SECT. 7. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 20, 1917.]

## CHAPTER 86.

AN ACT EMPOWERING CITIES AND TOWNS TO PROVIDE PLAYGROUNDS  
AND NEIGHBORHOOD CENTERS.

## SECTION

1. Towns and cities may maintain public playgrounds, and neighborhood center buildings, baths and swimming pools, etc.
2. Municipality may apportion the number of cents on each \$100 of public taxes, to be used for such.
3. Town or city may delegate above powers to a recreation commission, or to school board or park board.
4. Municipality may appropriate money for specific purpose of this act.

## SECTION

5. Recreation commission, number and appointment of.
6. Duties of school board, when delegated with power.
7. Duties of other board, when delegated with power.
8. Duties of park board, when delegated with power.
9. Duties of other board than park board, how abridged by park board.
10. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Any city or town of this state may take land within the municipal limits in fee by gift, purchase, or right of eminent domain, or may lease the same; and may prepare, equip, and maintain it, or any other land belonging to the municipality and suitable for the purpose, as a public playground; and may conduct and promote thereon play and recreation activities; may equip and operate neighborhood center buildings, may operate public baths and swimming pools; and may employ such play leaders, playground instructors, supervisors, recreation secretary, or superintendent and other officials as it deems best.

SECT. 2. Any city or town of this state may provide annually out of the tax levy that the board given charge of recreation shall receive, without special appropriation, a specific number of cents on each one hundred (100) dollars of assessed valuation.

SECT. 3. The above powers may be exercised by a recreation commission, by the school board, or by the park board, or may be divided between such recreation commission, school board and park board, or any of them, according as the city council, or the town may decide.

SECT. 4. Any city or town of this state may expend in carrying out the purpose of this act, such sums as may be duly appropriated for the purpose.

SECT. 5. If any city or town, in the state, shall decide that the above powers shall be exercised by a recreation commission, the mayor, chairman, or other officer having the power of appointment shall appoint five persons who are citizens and residents of such municipality, who shall serve without pay. The two persons first appointed shall serve for three years; the two persons next appointed for two years; the fifth person appointed for one year.

Their successors shall be appointed for three years. Vacancies as they occur shall be filled by the mayor, chairman or other officer having the power of appointment, for the unexpired term only. The members of the recreation commission shall from their own number elect a chairman, secretary, and other necessary officers to serve for one year, or until their successors are elected. The recreation commission shall have power to adopt rules of procedure and prescribe regulations for the conduct of all business within its jurisdiction.

Duties of school board, when delegated with power.

SECT. 6. If in any city or town of this state the school board be given charge of public playgrounds and recreation centers under this act, such school board is authorized to carry on playgrounds and recreation activities on the grounds and in the buildings in charge of the school board, and on such other grounds and in such other buildings as may with its approval be assigned to it.

Duties of other board, when delegated with power.

SECT. 7. If some other board than the school board have charge of public playgrounds and recreation centers in any city or town, of this state, under the provisions of this act, such board shall have the power to carry on playgrounds and recreation activities on the grounds and in the buildings in charge of the school board, and pay the necessary expense incident to such recreation activities; *provided* that nothing in this act shall be construed to abridge the power of the school board to veto the use of any of its grounds or buildings for recreation purposes, when such use interferes with the use of grounds or buildings for educational purposes.

Duties of park board, when delegated with power.

SECT. 8. If in any city or town of this state the park board be given charge of public playgrounds and recreation centers under provisions of this act, such park board is authorized to carry on playgrounds in charge of the park board, and on such other grounds and in such other buildings as may with its approval be assigned to it.

Duties of other board than park boards, how abridged by park board.

SECT. 9. If some other board than the park board have charge of public playgrounds and recreation centers in any city or town of this state, under the provisions of this act, such board shall have the power to carry on playgrounds and recreation activities on the grounds and in the buildings in charge of the park board, and pay the necessary expense incident to such recreation activities; *provided* that nothing in this act shall be construed to abridge the right of the park board to veto the use of any of its grounds or buildings for recreation purposes, when such use for recreation purposes shall interfere with use of the grounds or buildings for park purposes.

Takes effect on passage.

SECT. 10. This act shall take effect on its passage.

[Approved March 20, 1917.]

CHAPTER 87.

AN ACT RELATING TO BUILDING AND LOAN ASSOCIATIONS.

SECTION

- 1. Association may borrow money to pay off matured shares, when and how.
- 2. Holder of matured shares, may take paid up certificate, bearing interest not exceeding 4½ %. Limitation of issue thereof, to one-fifth of other assets of association.

SECTION

- 3. Holder of paid up certificate may withdraw fund, when and how.
- 4. No foreign building and loan association to do business in this state.
- 5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Building and loan associations may borrow money to pay off members for matured shares, for making loans, withdrawal of shares, enforced withdrawals, or for the payment of paid up certificates, not exceeding five per cent. of its capital paid in as dues.

SECT. 2. Whenever shares shall mature or become of the value of two hundred dollars each, or when the withdrawal of shares is enforced, the holder thereof may, if he chooses, and at the option of the board of directors, receive a paid up certificate in denomination of two hundred dollars, or multiples thereof, bearing interest at the rate of not to exceed four and one-half per cent. per annum, payable semi-annually, for such sum as may be left in said association, which interest shall not be allowed to accumulate beyond the time of payment, but shall be paid semi-annually to the holder of such certificates. Paid up certificates issued shall not at any one time exceed twenty per cent. of the other assets of the association.

SECT. 3. Any holder of paid up certificates may withdraw his money by giving at least thirty days' notice thereof, but the board of directors of the association may, if necessary, use only one-half of the funds in the treasury for that purpose, but shall pay the same off in the order in which notices of withdrawals are received as fast as the funds in the treasury shall permit. Paid up certificates may be paid off at any time at the option of the board of directors.

SECT. 4. No foreign building and loan association shall do business in this state.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 20, 1917.]



CHAPTER 88.

AN ACT PROVIDING FOR WARNING SIGNS AT GRADE CROSSINGS.

SECTION	SECTION
1. Public service commission may direct different signs for grade crossings, than those required by Laws of 1915, ch. 4.	2. Speed of self-propelled vehicle over grade crossing, not to exceed ten miles per hour. Penalty.
	3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Public service commission may direct different signs for grade crossings, than those required by Laws of 1915, ch. 4.

SECTION 1. The public service commission may by order prescribe a different type of warning sign for highway grade crossings to replace the signs provided for and heretofore placed under the provisions of chapter 4 of the Laws of 1915. Such signs shall be furnished and placed in position by the railroad company whose lines are crossed by any highway at grade, and shall thereafter be maintained by the city or town in which they are situate. All the provisions of said chapter 4 shall apply to said new signs, and to the responsibility for their maintenance and liability for removing, throwing down, injuring or defacing them, except that it shall not be required that the distance from the crossing shall be stated on the signs.

Speed of self-propelled vehicle over grade crossing, not to exceed ten miles per hour. Penalty.

SECT. 2. The person controlling the movement of any self-propelled vehicle upon passing such sign shall reduce the speed of such vehicle, so that within a distance of one hundred feet from the nearest rail of such crossing such vehicle shall not proceed at a greater speed than ten miles an hour. Any person violating the provisions of this section shall be liable to a fine of not exceeding fifty dollars, or imprisonment not exceeding three months, or both such fine and imprisonment.

Repealing clause; takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are repealed, and this act shall take effect upon its passage.

[Approved March 20, 1917.]

## CHAPTER 89.

AN ACT RELATING TO THE SALARY OF THE TREASURER OF THE COUNTY  
OF BELKNAP.

## SECTION

1. Salary of treasurer of Belknap county to be \$300 per annum; repealing portion of P. S., ch. 286, s. 19.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the salary of the treasurer of the county of Belknap shall hereafter be three hundred dollars per annum, payable as now provided by law; and so much of section 19, chapter 286 of the Public Statutes, as is inconsistent with this act is hereby repealed.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 20, 1917.]

## CHAPTER 90.

AN ACT IN AMENDMENT OF SECTION 18, CHAPTER 10 OF THE PUBLIC  
STATUTES, AS AMENDED BY CHAPTER 124 OF THE LAWS OF 1909,  
RELATING TO ADMISSIONS TO THE STATE HOSPITAL.

## SECTION

1. Person may be admitted for treatment on their own application, when; how discharged. Compensation for care of such, regulated.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 18, chapter 10 of the Public Statutes, as amended by chapter 124 of the Laws of 1909, by adding at the end of the section as thus amended the following: *Provided, however,* that the superintendent of the state hospital may receive and detain therein as a patient, any person who desires to submit himself or herself to treatment for insanity, and who makes application in writing therefor, and whose mental condition is such as to render him or her competent to make such application. Such person shall not be detained for more than seven days after having given written notice of his or her desire or intention to leave said hospital. The charges for the support of such person at said hospital shall

Person may be admitted for treatment on their own application, when; how discharged. Compensation for care of such regulated.

be governed by the provisions now in force for the support of an insane person in said hospital, *provided* the approval of the state board of lunacy shall be obtained in writing. Said superintendent shall give immediate notice of the reception of such person to the state board of lunacy, stating all the particulars of the case; and by striking out the words "asylum for the insane" in the second and third lines of the original section and inserting in place thereof the words state hospital, and by striking out the word "supreme" in the sixth line of said original section and inserting in place thereof the word superior, so that said section as amended shall read as follows:

SECT. 18. No person shall be committed to the state hospital, except by an order of the court or the judge of probate, without the certificate of two reputable physicians that such person is insane, given after a personal examination made within one week of the committal. Such certificate shall be accompanied by a certificate of a judge of the superior court or court of probate, mayor, or one of the selectmen, certifying to the genuineness of the signatures and the respectability of the signers. The physicians making such examination shall be legally registered to practice medicine in New Hampshire, and in the actual practice of their profession at the time of said examination and for at least three years prior thereto. They shall act jointly in making said examination and their certificate shall bear the date of said examination. Neither of said physicians shall be a relative of the person alleged to be insane, or an official of the institution to which it is proposed to commit such person. Any violation of the terms of this act may be punished by a fine not exceeding one hundred dollars. The certificate of insanity shall be in the form prescribed by the commission and shall contain the facts and circumstances upon which the judgment of the physicians is based. *Provided, however,* that the superintendent of the state hospital may receive and detain therein as a patient, any person who desires to submit himself or herself to treatment for insanity, and who makes application in writing therefor, and whose mental condition is such as to render him or her competent to make such application. Such person shall not be detained for more than seven days after having given written notice of his or her desire or intention to leave said hospital. The charges for the support of such person at said hospital shall be governed by the provisions now in force for the support of an insane person in said hospital, *provided* the approval of the state board of lunacy shall be obtained in writing. Said superintendent shall give immediate notice of the reception of such person to the state board of lunacy, stating all the particulars of the case.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved March 20, 1917.]

## CHAPTER 91.

## AN ACT RELATIVE TO PROTECTION OF HIGHWAY SIGNS AND GUARD RAILS.

## SECTION

1. Unlawful to injure or deface guard rails, guide boards, etc., or marks on state highways.

## SECTION

2. Penalty.
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. It shall be unlawful for any person to remove, injure, deface or damage any guard rail, guide-board, sign, post, marker, or the letters or figures thereon, or any design, bands or other markings used to designate state highway routes; which shall be erected, placed or painted on any highway by the state highway department or under its authority. *Provided, however,* that nothing in this act shall prohibit the owners of telephone, telegraph, or other public utility poles, which have been or hereafter may be used by the highway department for bands or other markings to designate state highway routes, from removing such poles.

SECT. 2. Any person violating this act shall be punished by a fine not exceeding one hundred dollars for each offense.

SECT. 3. This act shall take effect upon its passage.

Unlawful to injure or deface guard rails, guide boards, etc., or marks on state highways.  
Penalty.  
Takes effect on passage.

[Approved March 20, 1917.]

## CHAPTER 92.

## AN ACT REGULATING THE DUTY OF POLICE OFFICERS IN CERTAIN CASES.

## SECTION

1. Police to notify relative, friend or attorney of person arrested, of the arrest; and permit conference between them.

## SECTION

2. Penalty for violation.
3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. It shall be the duty of the officer in charge of any police station to which any arrested person is brought to immediately secure from the prisoner, if possible, the name and address of the parent or nearest relative or friend or attorney with whom such prisoner may desire to consult, and to immediately notify, by telephone or messenger when practicable, such relative, friend or attorney, if possible, of the detention of the prisoner. It shall be

Police to notify relative, friend or attorney of person arrested, of the arrest; and permit conference between them.



the duty of such officer to permit the prisoner to confer with his relative, friend, or attorney at any time.

Penalty for  
violation.

SECT. 2. Any officer in charge of a police station violating the provisions of this act shall be punished by a fine of fifty dollars, or by imprisonment for not more than three months, or by both such fine and imprisonment.

Repealing clause;  
takes effect on  
passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 23, 1917.]

## CHAPTER 93.

### AN ACT TO REGULATE AND LIMIT THE INVESTMENTS OF SAVINGS BANKS.

#### SECTION

1. Investments of savings banks, and savings departments of banking and trust companies limited to securities specified herein.
2. Note, and bond, defined.
  - (1) Note or bond secured by first mortgage on N. H. realty.
  - (2) Note or bond secured by first mortgage on certain realty outside of N. H., but within the U. S.
  - (3) Note or bond secured by first mortgage on timber lands within Maine or Vermont.
  - (4) Note secured by collateral of certain classes; or bonds secured by collateral of certain classes.
  - (5) Note secured by collateral dealt in on Boston or N. Y. stock exchange, when.
  - (6) Note secured by savings bank deposit book of any New England bank; or pass book in N. H. building and loan association.
  - (7) Notes having two or more signers, or one or more indorsers; or acceptances of member banks of federal reserve system, if eligible for rediscount, etc.; or in notes of maker worth \$250,000 whose debts not over 50% of quick assets.
  - (8) Bonds issued under federal farm loan act.
3. Municipal bonds. Municipality defined.
  - (1) Public funds of the U. S.
  - (2) Authorized bonds and notes of N. H. or any of its municipalities.
  - (3) Bonds or notes of any other of the United States; and authorized bonds or notes of any city in New England or New York, when.

#### SECTION

- (4) Authorized bonds of any other city in U. S., when.
- (5) Authorized bonds of Dominion of Canada.
- (6) Authorized bonds of any province of the Dominion of Canada.
- (7) Authorized bonds of any city of the Dominion of Canada, when.
4. Other bonds, notes and stocks. Definitions of "company"; "public service company"; "mortgage bonds"; "years"; "net income"; "annual interest." Limitations of investment in such, regulated.
  - (1) Steam railroad securities.
  - (2) Same subject continued.
  - (3) Same subject continued.
  - (4) Same subject continued.
  - (5) Same subject continued.
  - (6) Same subject continued.
  - (7) Public service company securities.
  - (8) Same subject continued.
  - (9) Public service and water companies in N. H.
  - (10) Telephone and Telegraph companies.
  - (11) Same subject continued.
  - (12) Certain bonds and notes.
  - (13) Certain classes of capital stock.
5. Bonds, notes, stock or certificates of interest of New England manufacturing company, when.
6. Capital stock of banking or trust company in N. H., or special deposits of guaranty savings banks in N. H.
7. Stock of national bank or trust company in New England or New York.
8. Stock or certificates of interest of any real estate corporation in N. H., when.

## SECTION

9. When guaranty fund depleted, or assets of bank fail to exceed deposits by five per cent., power to invest in certain of the foregoing denied, unless bank commissioners given written assent. Bank commissioners may enjoin investment in foregoing, when they deem such advisable.

## SECTION

10. Bank not to expend on its home buildings, etc., a sum greater than its unimpaired guaranty fund and surplus.
11. Percentage of deposits to be invested, how determined.
12. Repealing Laws of 1915, ch. 137, s. 1, ch. 149, s. 1; and Laws of 1901, ch. 114, s. 1, and amendments thereto; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. On and after the passage of this act savings banks and savings departments of banking and trust companies shall make investment of their funds in the following classes of securities only.

Investments of savings banks, and savings departments of banking and trust companies limited to securities specified herein.

SECT. 2. For the purposes of this act a note shall be construed as a written promise of an individual, firm, corporation or voluntary association, signed by the maker, to pay a specified sum of money on demand or at a fixed or determinable future time, but not issued under indenture or deed of trust. A bond shall be construed as a note issued under indenture or deed of trust.

Note, and bond, defined.

1. In notes or bonds directly secured by first mortgage on real estate situated within the state of New Hampshire; but no such investment shall be in a loan that exceeds seventy per cent. of the value of the real estate by which it is secured and not exceeding seventy-five per cent. of the deposits shall be so invested.

Note or bond secured by first mortgage on N. H. realty.

2. In notes or bonds directly secured by first mortgage on real estate situated outside of New Hampshire but entirely within the United States, which at the time of such investment is improved, occupied and productive; but not exceeding forty per cent. of the deposits shall be so invested, and no such investment shall be in a loan that exceeds fifty per cent. of the value of the real estate by which it is secured.

Note or bond secured by first mortgage on certain realty outside of N. H. but within the U. S.

3. In notes or bonds directly secured by first mortgage on timber lands situated within the states of Maine and Vermont; but not exceeding five per cent. of the deposits shall be so invested, and no such investment shall be in a loan that exceeds fifty per cent. of the value of the real estate by which it is secured.

Note or bond secured by first mortgage on timber lands within Maine or Vermont.

4. In notes secured by collateral in which the bank is at liberty to invest, of a value at least ten per cent. in excess of the value of the note, and in bonds secured by collateral in which the bank is at liberty to invest under paragraphs 1, 2, 3, 4 and 7 of section 4, of a value of at least ten per cent. in excess of the value of the note. The amount of any one class of securities so taken as collateral, added to that which the bank may own at the time, shall not exceed the total limit of investment in that class of security; but not exceeding twenty-five per cent. of the deposits shall be so invested.

Note secured by collateral of certain classes; or bonds secured by collateral of certain classes.

Note secured by collateral dealt in on Boston or N. Y. stock exchange, when.

5. In notes secured by collateral securities which are dealt in on the stock exchanges of Boston or New York, the stock exchange price of which shall at all times be at least twenty per cent. in excess of the amount due upon the note, while held by the bank; but not exceeding twenty-five per cent. of the deposits shall be so invested.

Note secured by savings bank deposit book of any New England bank; or pass book in N. H. building and loan association.

6. In notes secured by any savings bank deposit book issued by any savings bank chartered under the laws of any New England state; or in notes secured by the depositor's pass-book of any building and loan association of this state, *provided* that the investment shall not be in excess of the withdrawing value of said pass-book.

Notes having two or more signers, or one or more indorsers; or acceptances of member banks of federal reserve system, if eligible for rediscount, etc.; or in notes of maker worth \$250,000 whose debts not over 50% of quick assets.

7. In notes with two or more signers, or one or more indorsers, or in acceptances of member banks of the federal reserve system of the kinds and maturities made eligible for rediscount or purchase by federal reserve banks, or in notes of makers whose net assets are not less than \$250,000 and whose total indebtedness does not exceed fifty per cent. of their quick assets; but not exceeding five per cent. of the deposits shall be loaned to any one borrower on this class of security; and not exceeding thirty per cent. of the deposits shall be invested under the provisions of this paragraph. *provided* that, except in notes with two or more signers, or one or more indorsers, or in said acceptances, no savings bank shall invest under this paragraph unless its guaranty fund is full and unimpaired and the total value of its assets as determined by the board of bank commissioners shall exceed the amount of its deposits by at least ten per cent.

Bonds issued under federal farm loan act.

8. In bonds issued under the provisions of the federal farm loan act.

### Municipal Bonds.

Municipal bonds. Municipality defined.

SECT. 3. For the purposes of this section a municipality shall be construed as a county, city, town, village, district, precinct or other municipal corporation; a municipal bond shall be construed as an interest-bearing obligation of a government, state, province or municipality, to provide for the interest and principal requirements of which taxes may be levied on all taxable property within the confines of the obligor; net debt shall be construed as debt after deducting sinking funds available for the payment of such debt and the net outstanding debt created for supplying the inhabitants with water; assessed valuation shall be construed as the nearest preceding valuation of property for purposes of taxation; and population shall be construed as the number of inhabitants in accordance with the nearest preceding census taken under federal or state authority.

Not exceeding five per cent. of the deposits shall be invested in the bonds of any one municipality; and not exceeding in the aggregate ten per cent. of the deposits shall be invested in the bonds of the Dominion of Canada, its provinces and cities.

1. In the public funds of the United States, or those for which the faith of the United States is pledged to provide for the payment of the interest and principal. Public funds of the U. S.
2. In the authorized bonds and notes of this state, or any of its municipalities. Authorized bonds and notes of N. H. or any of its municipalities.
3. In the authorized bonds or notes of any state or territory of the United States; and in the authorized bonds or notes of any city of the states of Maine, Vermont, Massachusetts, Rhode Island, Connecticut, or New York, whose net indebtedness does not exceed seven per cent. of the last preceding valuation of the property therein for taxation; or of any municipality in said states whose net indebtedness does not exceed five per cent. of such valuation. Bonds or notes of any other of the United States; and authorized bonds or notes of any city in New England or New York, when.
4. In the authorized bonds of any municipality of any other of the United States or territories whose net indebtedness does not exceed five per cent. of the last preceding valuation of the property therein for taxation: and in the authorized bonds of any city of fifty thousand inhabitants of any of said states whose net indebtedness does not exceed seven per cent. of the last preceding valuation of the property therein for taxation. *Provided*, that the bonds of any county, city, or town of less than ten thousand inhabitants, or of any school district or other municipal corporation of less than two thousand inhabitants in any state or territory other than those named in paragraph 3 of this section shall not be authorized investments. Authorized bonds of any other city in U. S., when.
5. In the authorized bonds of the Dominion of Canada. Authorized bonds of Dominion of Canada.
6. In the authorized bonds of any province of the Dominion of Canada. Authorized bonds of any province of the Dominion of Canada.
7. In the authorized bonds of any city of the Dominion of Canada, with a population of not less than fifty thousand, whose net debt does not exceed seven per cent. of the last preceding valuation of the property therein for taxation. Authorized bonds of any city of the Dominion of Canada, when.

#### Other Bonds, Notes and Stocks.

SECT. 4. For the purposes of this section a company shall be construed as a corporation or voluntary association organized under the laws of the United States or any state thereof and located and doing business principally within the United States: a public service company shall be construed as a company doing principally a gas, electric light, electric power or electric railway business; mortgage bonds shall be construed as bonds secured primarily by direct and foreclosable lien on physical property owned by the obligor; years shall be construed as calendar years, fiscal years or nearer periods of twelve months next preceding such investment: net income shall be construed as income after deducting operating expenses, taxes, insurance, rentals, guaranteed interest and guaranteed dividends, and expenditures for maintenance; and annual interest shall be

Other bonds, notes and stocks. Definitions of "company"; "public service company"; "mortgage bonds"; "years"; "net income"; "annual interest." Limitations of investment in such, regulated.



construed as interest actually paid in each year except that for the latest year it shall be construed as one year's interest on the total amount outstanding at the time of the investment.

Not exceeding seventy-five per cent. (75%) of the deposits shall be invested in securities authorized under this section; and not exceeding five per cent. (5%) of the deposits shall be invested in the securities of any one company, and not exceeding twenty-five per cent. of the deposits shall be invested in securities authorized by this section other than in bonds and notes.

No investment shall be made in securities authorized under this section unless the net income of the company in question in each of the three years next preceding such investment shall have been not less than one and one-quarter ( $1\frac{1}{4}$ ) times the annual interest on the entire funded debt.

In the case of a company formed by the consolidation of two or more existing companies, the net income and annual interest for the years preceding such consolidation shall be the combined net income and annual interest of the consolidated companies.

The change of motive power by any steam railroad company, whether wholly or in part, shall not affect the eligibility for investment of any steam railroad obligations.

Subject to the foregoing, investments may be made as follows:

#### Steam Railroad Securities.

Steam railroad securities.

1. In bonds or notes issued or assumed by steam railroad companies and in mortgage bonds of companies controlled by such companies for the refunding of which mortgage bonds of such companies are specifically reserved, *provided* that in each of the three years next preceding such investment the net income of such companies shall have been either (1) not less than ten million dollars (\$10,000,000) and not less than one and one-half ( $1\frac{1}{2}$ ) times the annual interest on the obligations in question and all other obligations of corresponding or prior lien, or (2) not less than two million dollars (\$2,000,000) and not less than one and three-quarters ( $1\frac{3}{4}$ ) times the annual interest on the obligations in question and all other obligations of corresponding or prior lien.

Same subject continued.

2. In mortgage bonds guaranteed as to principal and interest by such companies, *provided* that in each of the three years next preceding such investment the net income of the obligor company shall have been not less than five hundred thousand dollars (\$500,000) and not less than one and one-half ( $1\frac{1}{2}$ ) times the annual interest on the obligations in question and all other obligations of corresponding or prior lien.

Same subject continued.

3. In equipment securities issued or guaranteed as to principal and interest by such companies, *provided* such securities are issued for not exceeding in par value eighty-five per cent. (85%) of the

cost of standard equipment and mature in approximately equal annual installments over a period of not exceeding fifteen years.

4. In the mortgage bonds of terminal or bridge companies guaranteed as to principal and interest, by two or more such companies. Same subject continued.

5. In certificates of indebtedness, commonly termed "receiver's certificates," issued by a receiver of any steam railroad under authorization of the court having jurisdiction over such receiver. Same subject continued.

6. In the dividend-paying capital stock of steam railroad companies of which the net income in each of the five years next preceding such investment shall have been either (1) not less than ten million (\$10,000,000) and not less than one and one-half ( $1\frac{1}{2}$ ) times the annual interest on the entire funded debt, or (2) not less than two million dollars (\$2,000,000) and not less than twice the annual interest on the entire funded debt, *provided* that the income of such companies applicable to dividends in at least four of the five years next preceding such investment shall have been not less than the current annual dividend requirements on the class of stock in question and all other classes of stock of prior preference and that such companies in each of the five years next preceding such investment shall have paid dividends at the rate of not less than four per cent. (4%) per annum on the class of stock in question and all other classes of stock of prior preference, or in the dividend-paying stock of any steam railroad company that is leased to such company and whose dividends are guaranteed by such company. Same subject continued.

### Public Service Companies.

7. In mortgage bonds issued or assumed by public service companies and in mortgage bonds of companies controlled by such companies for the refunding of which mortgage bonds of such companies are specifically reserved, *provided* that in each of the three years next preceding such investment the net income of such companies shall have been either (1) not less than five hundred thousand dollars (\$500,000) in the case of street railways and not less than two hundred and fifty thousand dollars (\$250,000) in the case of other public service companies and not less than one and three-quarters ( $1\frac{3}{4}$ ) times the annual interest on the obligations in question and all other obligations of corresponding or prior lien, or (2) not less than one hundred fifty thousand dollars (\$150,000) and not less than twice the annual interest on the obligations in question and all other obligations of corresponding or prior lien; and in bonds or notes issued or assumed by public service companies, *provided* that in each of the three years next preceding such investment the net income of such companies shall have been not less than five hundred thousand dollars (\$500,000) and not less than two times the annual interest on the obligations in question Public service company securities.

and all other obligations of corresponding or prior lien; *provided* that in all cases the principal franchise or franchises of such corporations shall not mature prior to the maturity of the obligations in question, or that such companies operate under indeterminate franchises or permits and are subject to the regulatory supervision of a state commission of competent jurisdiction, or that such companies operate under a franchise or permit in which the capital or investment value of the company's property is fixed or determined when such investment or capital value is in excess of the indebtedness represented by the above obligations, or that in the case of electric railways not less than seventy-five per cent. (75%) of the mileage owned is located on private right of way.

Same subject  
continued.

8. In the dividend-paying capital stock of senior preference of public service companies of which the net income in each of the five years next preceding such investment shall have been not less than five hundred thousand dollars (\$500,000) and not less than one and three-quarters ( $1\frac{3}{4}$ ) times the annual interest on the entire funded debt, *provided* that the income of such companies applicable to dividends in at least four of the five years next preceding such investment shall have been not less than the current annual dividend requirements on the class of stock in question, and that such companies in each of the five years next preceding such investment shall have paid dividends at the rate of not less than four per cent. per annum on the class of stock in question, and *provided* that the issue of such stock has been authorized by a state commission of competent jurisdiction and, *provided, further*, that not exceeding ten per cent. of the deposits shall be so invested.

#### New Hampshire Companies.

Public service  
and water com-  
panies in N. H.

9. In the bonds or notes of public service and water companies organized under the laws of and located and doing business principally within the state of New Hampshire; *provided* the net income of such companies in each of the three years next preceding such investment shall have been not less than twice the annual interest on the obligations in question and all other obligations of corresponding or prior lien; and in the dividend-paying capital stock of senior preference of such companies, *provided* that the income of such companies applicable to dividends in at least four of the five years next preceding such investment shall have been not less than one and one-eighth times the current annual dividend requirements on the class of stock in question, and that such companies in each of the five years next preceding such investment shall have paid dividends at the rate of not less than four per cent. per annum on the class of stock in question.

## Telephone and Telegraph Companies.

10. In bonds or notes issued or assumed by telephone, telegraph, <sup>Telephone and telegraph companies.</sup> or telephone and telegraph companies of which the net income in each of the five years next preceding such investment shall have been either (1) not less than ten million dollars (\$10,000,000) and not less than two times the annual interest on the entire funded debt, or (2) not less than two million dollars (\$2,000,000) and not less than two and one-half ( $2\frac{1}{2}$ ) times the annual interest on the entire funded debt, but not exceeding fifteen per cent. of the deposits shall be so invested.

11. In the dividend-paying capital stock of senior preference, <sup>Same subject continued.</sup> of telephone, telegraph, or telephone and telegraph companies of which the net income in each of the five years next preceding such investment shall have been either (1) not less than ten million dollars (\$10,000,000) and not less than twice the annual interest on the entire funded debt, or (2) not less than two million dollars (\$2,000,000) and not less than two and one-half ( $2\frac{1}{2}$ ) times the annual interest on the entire funded debt, *provided* that the income of such companies applicable to dividends in at least four of the five years next preceding such investment shall have been not less than the current dividend requirements of the class of stock in question, and that all companies to be eligible under this paragraph in each of the five years next preceding such investment shall have paid dividends at the rate of not less than four per cent. per annum upon the class of stock in question, but not exceeding ten per cent. of the deposits shall be invested under the provisions of this paragraph.

## Bonds or Notes.

12. In bonds or notes issued or assumed by companies of which <sup>Certain bonds and notes.</sup> the net income in each of the five years next preceding such investment shall have been either (1) not less than ten million dollars (\$10,000,000) and not less than two times the annual interest on the entire funded debt, or (2) not less than two million dollars (\$2,000,000) and not less than four (4) times the annual interest on the entire funded debt, but not exceeding fifteen per cent. of the deposits shall be so invested.

## Capital Stock.

13. In the dividend-paying capital stock of senior preference, <sup>Certain classes of capital stock.</sup> of companies of which the net income in each of the five years next preceding such investment shall have been either (1) not less than ten million dollars (\$10,000,000) and not less than twice the interest on the entire funded debt, or (2) not less than two million dollars (\$2,000,000) and not less than four times the annual interest on



the entire funded debt, *provided* that the income of such companies applicable to dividends in at least four of the five years next preceding such investment shall have been not less than the current dividend requirements of the class of stock in question; or if such companies have no funded debt then the income applicable to dividends in at least four of the five years next preceding such investment shall have been not less than one and one-fourth ( $1\frac{1}{4}$ ) times the current dividend requirements of the class of stock in question; and that all companies to be eligible under this paragraph in each of the five years next preceding such investment shall have paid dividends at the rate of not less than four per cent. per annum upon the class of stock in question. Without the written approval of the board of bank commissioners no investments shall be made under the authority of this and the preceding paragraph, and it shall be the duty of said board to furnish to the banks from time to time a list of such securities as are eligible for investment, but not exceeding ten per cent. of the deposits shall be invested under the provisions of this paragraph.

Bonds, notes, stock or certificates of interest of New England manufacturing company. when.

SECT. 5. In the bonds, notes, stock or certificates of interest of any manufacturing company organized and doing business in the New England states that has earned and paid regular dividends on its entire capital stock or certificates for each of the five years next preceding such investment, and whose net indebtedness does not exceed fifty per cent. of the amount of its unimpaired capital stock; but not exceeding ten per cent. of the deposits shall be so invested; *provided*, no bank shall hold more than twenty-five per cent. of the stock of any such company.

Capital stock of banking or trust company in N. H. or special deposits of guaranty savings banks in N. H.

SECT. 6. In the capital stock of any banking or trust company, or special deposits of guaranty savings banks incorporated under the laws of the state of New Hampshire and doing business therein; but the amount of such stock held by any savings bank as an investment and as collateral for loans shall not exceed one-tenth of the total capital stock or special deposits of such banking or trust company or guaranty savings bank, and not exceeding ten per cent. of the deposits shall be so invested.

Stock of national bank or trust company in New England or New York.

SECT. 7. In the stock of any national bank or trust company located in the New England states or the state of New York, but not exceeding ten per cent. of the deposits of a savings bank shall be invested in such stock; the amount of stock in any national bank or trust company in this state which may be held by any savings bank as an investment or as collateral security for loans shall not exceed twenty-five per cent. of the capital stock of said national bank or trust company; and the amount of stock in any national bank or trust company outside of this state which may be held by any savings bank as an investment or as collateral for loans shall not exceed one-tenth of the capital stock of said national bank or trust company.

SECT. 8. In the stock or certificates of interest, of any real estate corporation or association of this state and whose property is occupied and improved and is located in this state, whose capital stock is one hundred thousand dollars or more, *provided* the total indebtedness of such corporation or association does not exceed one-half of the capital stock actually paid in and remaining unimpaired, and *provided* such corporation or association has earned and paid regular dividends of at least four per cent. per annum upon its capital stock or shares for five years previous to such investment; but not exceeding five per cent. of the deposits shall be so invested.

Stock or certificates of interest of any real estate corporation in N. H., when.

SECT. 9. Unless the guaranty fund of a bank is full and unimpaired and the value of its assets as determined by the board of bank commissioners shall exceed the amount of the deposits by at least five per cent., it shall be unlawful for it to invest in any stocks of paragraphs 6, 8 and 13 of section 4 or in any securities of section 5 of this act without the written permission of the board of bank commissioners; and whenever in the opinion of the board of bank commissioners the condition of any bank or general financial conditions are such that the board deems it unwise for said bank to invest in said securities, it may by written order forbid such bank to make such investment, and it shall not thereafter be legal for said bank to make such investment until such order shall be revoked in writing.

When guaranty fund depleted, or assets of bank fail to exceed deposits by five per cent., power to invest in certain of the foregoing denied, unless bank commissioners give written assent. Bank commissioners may enjoin investment in foregoing, when they deem such advisable.

SECT. 10. No savings bank shall expend in the purchase, construction or remodelling of any building and the construction of vaults, for the purpose, in whole or in part, of accommodating the business of such bank, a greater sum than the amount of its unimpaired guaranty fund and surplus, except it is authorized to do so by the bank commissioners.

Bank not to expend on its home buildings, etc., a sum greater than its unimpaired guaranty fund and surplus.

SECT. 11. In determining the percentage of deposits invested under the provisions of this act, previous investments held by the banks shall be included.

Percentage of deposits to be invested, how determined.

SECT. 12. Section 1 of chapter 137 and section 1 of chapter 149 of the Laws of 1915 and section 1 of chapter 114 of the Laws of 1901 and all amendments thereto and all acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing Laws of 1915, ch. 137, s. 1, ch. 149, s. 1; and Laws of 1901, ch. 114, s. 1, and amendments thereto; takes effect on passage.

[Approved March 27, 1917.]

## CHAPTER 94.

## AN ACT TO LICENSE JUNK DEALERS AND TO REGULATE THE CONDUCT OF THEIR BUSINESS.

## SECTION

1. Board of police commissioners; or mayor and aldermen, and boards of selectmen to license and regulate junk dealers; and may revoke license after a hearing on preferred charges.
2. Conditions of license; same to continue until April 1, next.
3. Penalty for conducting business without license; superior court may enjoin violator.
4. Licensing board may limit place for storage, and quantity to be stored.
5. Chief of police in cities and selectmen of towns may examine premises, books, etc., of junk dealer.

## SECTION

6. Penalty for refusing admission to chief of police or selectmen, or withholding books, etc.
7. License to be numbered, and licensee to have similar number exposed on his person and wagon used in collecting junk. Badge to be furnished by officer.
8. License fee, how regulated.
9. Penalty.
10. Repealing P. S., ch. 124 and amendments.
11. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Board of police commissioners; or mayor and aldermen, and boards of selectmen to license and regulate junk dealers; and may revoke license after a hearing on preferred charges.

SECTION 1. The board of police commissioners of any city or town, or the mayor and aldermen of any city or the selectmen of any town in which there has not been established a board of police commissioners, may license suitable persons, in their discretion, to be dealers in and keepers of shops for the purchase and sale or barter of, old junk, old metals, old or second-hand bottles, cotton or woolen mill waste, unfinished cloth, cotton or woolen mill yarns in an unfinished state, not of family manufacture, or second-hand articles excepting furniture and books, within their respective cities or towns, or to accumulate, store or handle said commodities therein for the purpose of sale or barter elsewhere, or as bailees for others, and may determine and designate the place where the business is to be carried on, and the place where the commodities aforesaid may be accumulated, stored or handled, under a license. The board which grants said licenses may revoke the same, in their discretion, after a hearing on charges preferred; and may from time to time establish rules, regulations and restrictions relative to the business carried on as aforesaid; and every such rule, regulation and restriction shall be incorporated in said license.

Conditions of license; same to continue until April 1, next.

SECT. 2. The license shall designate the place where the business is to be carried on, and shall contain a condition that the person to whom it is granted shall not purchase from any minor under the age of sixteen years nor barter with any such minor for any commodity named in the preceding section, without the written consent of his parents or guardian, and such other conditions and restrictions as may be prescribed by the board which grants said licenses.

Said license shall continue in force until the first day of April next following, unless sooner revoked, and may be renewed upon application to the licensing board.

SECT. 3. Any person who, without a license, shall be a dealer in the aforesaid commodities or keep a shop for the purchase, sale or barter thereof, or whoever, without a license, shall accumulate, store or handle said commodities for the purpose of sale or barter or as a bailee for others, and any person having a license who shall carry on the business, or accumulate, store or handle the commodities aforesaid at any other place than that specified in his license, or after notice that his license has been revoked, shall be punished by a fine of ten dollars for each and every day such offense continues, and the superior court may enjoin any person from dealing in the commodities aforesaid, or from keeping a shop for the purchase, sale or barter thereof, or from accumulating, storing or handling said commodities contrary to the provisions of this act, and may also enjoin any licensee from carrying on the business or accumulating, storing or handling the commodities aforesaid at any other place than that designated in his license.

Penalty for conducting business without license; superior court may enjoin violator.

SECT. 4. The licensing board of a city may, by regulation, prohibit the accumulation or storage of the commodities designated in this chapter, the granting of licenses therefor, and the granting of licenses to deal in or keep a shop for the purchase, sale or barter of said commodities, within or in the immediate vicinity of the compact part of such city, and define the limits within which said commodities shall not be accumulated or stored or said business carried on, or licenses therefor granted, and all such regulations heretofore adopted by any such licensing board are hereby ratified and confirmed; but the adoption of any such regulation shall in no way affect the duties of the licensing board in acting upon applications for licenses to be exercised in territory outside the limits specified in such regulation.

Licensing board may limit place for storage, and quantity to be stored.

SECT. 5. The chief of police of a city, and selectmen of a town, or any officer authorized by either of them, may at any time enter upon any premises used by said licensee for the purposes of his business, ascertain how he conducts his business and examine all commodities purchased or obtained or kept or stored in or upon said premises and all books and inventories relating thereto. Every such licensee, his clerk, agent, servant or other person in charge of the premises shall exhibit to such officer on demand any or all of such commodities, books and inventories.

Chief of police in cities and selectmen of towns may examine premises, books, etc., of junk dealer.

SECT. 6. Every such licensee, his clerk, agent or other person in charge of such premises, who refuses to admit thereto an officer authorized to enter the same or who fails to exhibit to him on demand all such commodities, books and inventories, and any person who wilfully hinders, obstructs or prevents such officer from entering the premises or from making the examination authorized

Penalty for refusing admission to chief of police or selectmen, or withholding books, etc.



in the preceding section, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

License to be numbered, and licensee to have similar number exposed on his person and wagon used in collecting junk. Badge to be furnished by officer.

SECT. 7. Every license shall be numbered and each licensee collecting any of the aforesaid commodities, in any wagon or vehicle shall have placed upon the outside of such wagon or vehicle and upon each side of the same, the number of the license in plain, legible figures of not less than three inches in size so that the same may be distinctly seen and read. Every person going about from place to place collecting said commodities shall also wear a badge on his hat or cap or about his person with the number of his license thereon in brass or plated figures of not less than one inch in size, so placed that the number may be distinctly seen and read. No person not licensed shall collect or purchase any of the commodities above specified unless he acts as a helper to and is accompanied by some licensee. The badge aforesaid shall be furnished by the board of police commissioners or by the city clerk of cities or by the selectmen of towns, upon payment of a suitable fee therefor.

License fee, how regulated.

SECT. 8. The fee for such license or renewal thereof shall be fixed by the board which issues the license and shall be paid into the treasury of the city or town in which the license is to be in force, and no person in any city or town shall be required to pay a larger fee for said license than that required to be paid by any other person in the same city or town for a similar license.

Penalty.

SECT. 9. Any person who shall violate any provision of this chapter or his license, for a violation of which no punishment is above provided, shall be fined not exceeding ten dollars or be imprisoned not exceeding thirty days.

Repealing P. S., ch. 124 and amendments.

SECT. 10. Public Statutes, chapter 124, and all amendments thereto are hereby repealed, but all licenses issued under said statutes shall continue in force until April 1, 1917.

Takes effect on passage.

SECT. 11. This act shall take effect upon its passage.

[Approved March 27, 1917.]

## CHAPTER 95.

AN ACT TO PROVIDE FOR ABSENT VOTING BY THE NEW HAMPSHIRE  
NATIONAL GUARD AND VOLUNTEERS WHILE IN THE MILITARY SERVICE  
OF THE STATE OR FEDERAL GOVERNMENT.

## SECTION

1. Soldiers in service may vote for presidential electors, United States senator and member of Congress.
2. Adjutant-general to prepare and verify list of voters, for secretary of state.
3. Secretary of state to inform governor and council, when.
4. Governor and council to appoint commissioners representing each political party, who shall take the votes of the soldiers.
5. Secretary of state to prepare special ballots for use of commissioners; form of affidavit thereon.

## SECTION

6. Affidavit to be signed by voter; and ballot marked and sealed by voter and delivered to commissioner.
7. Commissioners to deliver ballots to secretary of state, who shall deliver them to moderator of town or ward where soldier was entitled to vote.
8. Procedure by moderator.
9. Death of voter between date of voting and election day, voids the ballot.
10. Absence in the service not to be construed as absence from home, within meaning of election laws.
11. Penalty.
12. Conflicting acts suspended; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. In addition to the method of voting now prescribed by law, members of the New Hampshire National Guard and volunteers in the state or federal military service, may vote at biennial elections for the candidates for presidential electors, United States senator, and member of congress, in the manner hereinafter provided.

SECT. 2. The adjutant-general shall, seasonably prior to any biennial election, whenever the national guard or volunteers, or parts thereof, are in such service, obtain from the members thereof a complete list of those who claim to be qualified electors of this state together with the town or ward wherein each is entitled to vote. He shall verify such list by obtaining verifying certificates in regard thereto from the supervisors or registrars of the various towns and wards. He shall thereupon lay such list and certificates before the secretary of state together with a statement of the then location of the various members of the national guard and volunteers in such service.

SECT. 3. The secretary of state shall thereupon lay before the governor and council a statement showing the locations and the number of the members of the national guard and volunteers present at each place where twenty or more are together.

SECT. 4. The governor and council shall thereupon designate commissioners representing each political party as defined in chapter 153 of the Public Statutes as many different sets of com-

who shall take  
the votes of the  
soldiers.

Secretary of state  
to prepare special  
ballots for use of  
commissioners;  
form of affidavit  
thereon.

missioners as the location of such members of the national guard and volunteers in such service may require, who shall be sworn by the governor to the faithful performance of their duties as commissioners, and shall obtain from the secretary of state the envelopes and ballots, as hereinafter provided, and seasonably before the day of election, proceed to such locations as may be designated to them by the governor and council and take the votes of such members of the national guard and volunteers in the manner hereinafter provided. Each set of commissioners may be sent to as many different locations as may be practicable.

SECT. 5. The secretary of state shall prepare ballots for this purpose in accordance with existing election laws, except that they shall cover only those offices designated in section 1 of this act, and shall have printed on the face thereof the words "Absent Voter Ballot," and shall deliver to such commissioners as many such ballots as may be required by them for the performance of their duties, such ballots to be enclosed in two envelopes, the inside one of which shall have printed on its face an affidavit as follows:

State of.....  
County of.....  
.....ss.  
.....being duly sworn says that  
he is a member of (organization) ....., that  
he is.....years old; that he is entitled to vote in the.....  
ward.....(city, village or town), County of.....  
New Hampshire.

Subscribed and sworn to before us this.....day of  
.....19....; and we hereby certify that the affiant  
exhibited the endorsed ballot to us unmarked, and that he then,  
in our presence alone, and in such manner that we have not seen  
his vote; marked such ballot, and enclosed and sealed the same in  
this envelope. That the affiant was not solicited or advised by  
us to vote for or against any candidate or measure.

.....  
.....  
Commissioners.  
The outside envelope shall have printed thereon the following:  
Voting Papers of.....  
Company (or Battery).....Regiment.  
County.....Town or City.....Ward....

Affidavit to be  
signed by voter;  
and ballot marked  
and sealed by voter  
and delivered to  
commissioner.

SECT. 6. Such members of the national guard or volunteers shall make and subscribe the said affidavit before such commissioners, and shall thereupon, in the presence of such commissioners and of no other person, mark such ballot, but in such manner that such commissioners cannot see the vote, and such ballot shall

thereupon, in the presence of such commissioners, be enclosed in said inside envelope, and the same securely sealed. Said envelope shall then be enclosed by the voter in the outside envelope sealed and delivered by him to such commissioners.

SECT. 7. Such envelope containing such ballots shall be delivered by said commissioners to the secretary of state as many days prior to the day of election as is practicable, and the secretary of state shall thereupon enclose the same in packages or in envelopes addressed to the moderator of the towns or wards designated on said outside envelopes.

Commissioners to deliver ballots to secretary of state, who shall deliver them to moderator of town or ward where soldier was entitled to vote.

SECT. 8. The moderator shall receive and hold such envelopes enclosing such ballots, still securely sealed, until the time comes for the closing of the polls at such election, when, if the official checklist in use at such election shows that such member of the national guard or volunteer has not voted, and is still entitled to vote, he shall open said outside envelope and present such envelopes and affidavits thereon to the supervisors of the checklist for inspection, and if they or such of them as are present, shall be satisfied that the affidavit is complete, said ballot shall be taken from its envelope, without destroying the affidavit, and deposited in the ballot box without unfolding or examination. If the affidavit appears to be defective, the envelope shall be so marked by the supervisors and shall not be unsealed. The envelopes when such ballot is voted, and the envelopes with their contents, when such ballot is rejected, shall be preserved with the official ballots in accordance with the election laws relating to the retention and preservation of official ballots.

Procedure by moderator.

SECT. 9. If it shall appear upon proof to the supervisors, or to the secretary of state upon any recount, that an absent voter died or was killed before election day, his ballot shall not be cast, or counted, as the case may be, and if not cast on election day, shall be returned as a defective ballot.

Death of voter between date of voting and election day, voids the ballot.

SECT. 10. It shall not be construed that any member of the national guard or volunteer in the state or federal service is absent from his town or ward within the meaning of any of the election laws.

Absence in the service not to be construed as absence from home, within meaning of election laws.

SECT. 11. If any voter or official shall neglect or refuse to perform any of the duties prescribed by this act, or shall violate any of the provisions thereof, he shall upon conviction be fined not less than one hundred dollars nor more than one thousand dollars, or confined in jail not to exceed ninety days.

Penalty.

SECT. 12. Acts and parts of acts in conflict herewith are suspended as to the provisions of this act, and this act shall take effect upon its passage.

Conflicting acts suspended; takes effect on passage

[Approved March 27, 1917.]



CHAPTER 96.

AN ACT FOR THE PROTECTION OF STATE ROADS.

SECTION

- 1. Illegal to excavate in state highways without written permission of state department; except by proper public officers in emergency.
- 2. Highway commission to make rules for purpose of this act; and may require bond before excavation.

SECTION

- 3. Penalty.
- 4. Exception, in favor of railroads at crossings.
- 5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Illegal to excavate in state highways without written permission of state department; except by proper public officers in emergency.

SECTION 1. It shall be unlawful for any person or corporation to excavate or disturb the surface improved for travel of any state road, trunk line road or state aid road for any purpose whatsoever without written permission from the state highway department; *provided, however*, that in cases of emergency the proper public officials may take such immediate action as may be necessary without such permission, but in such cases said officials shall at once notify the state highway department of their action.

Highway commission to make rules for purpose of this act; and may require bond before excavation.

SECT. 2. Authority is hereby given the state highway commissioner to make such rules and regulations as may be necessary to carry into effect the purposes of this act. Before issuing any such permit he may require that bond satisfactory to him be furnished the state of New Hampshire providing for the restoration of said road.

Penalty.

SECT. 3. Any person or corporation excavating or disturbing the surface of a state road, trunk line road or state aid road in violation of the provisions of this act or the rules and regulations of the state highway department made under the authority of section 2 of this act may be punished by a fine not exceeding one hundred dollars.

Exception, in favor of railroads at crossings.

SECT. 4. The foregoing provisions of this act shall not apply to railroads when making necessary repairs or improvements within their rights of way at points where the same are crossed by a highway, but no such repairs or improvements, if they involve excavating or disturbing the surface of any road described in this act, may be made without written permission from the public service commission.

Takes effect on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 27, 1917.]

## CHAPTER 97.

AN ACT DIRECTING THE GOVERNOR AND THE GOVERNOR AND COUNCIL TO ASSIST THE GOVERNMENT OF THE UNITED STATES IN THE PRESENT CRISIS AND AUTHORIZING THEM TO PROVIDE FOR THE PUBLIC SAFETY.\*

## SECTION

1. Governor and council to employ state resources for aid of federal government in present crisis.
2. Public officials to furnish governor and council such assistance as they may require.

## SECTION

3. \$500,000 appropriated for purpose of this act; bond issue to meet same provided.
4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The governor and the governor and council are directed to render to the government of the United States, in the present crisis, any assistance within the power of the state; and they are authorized either to that end or for the purpose of providing for the public safety, to organize and employ any and all resources within the state, whether of men, properties or instrumentalities, and to exercise any and all power convenient or necessary in their judgment.

Governor and council to employ state resources for aid of federal government in present crisis.

SECT. 2. It shall be the duty of every public official in the state to furnish to the governor or to the governor and council such information and assistance as he or they may require in the execution of this act.

Public officials to furnish governor and council such assistance as they may require.

SECT. 3. The governor, with the advice and consent of the council, is hereby authorized to draw his warrant upon any money in the treasury not otherwise appropriated and the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state such further sums, not exceeding in all five hundred thousand dollars, as may be necessary to carry out the provisions of this act, and for that purpose may issue bonds or notes in the name and on behalf of the state, at the lowest rate of interest obtainable, in such form and in such denominations and on such time as the governor and council may determine.

\$500,000 appropriated for purpose of this act; bond issue to meet same provided.

Such bonds and notes shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds and notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the time when payable and the date of delivery to the treasurer. The treasurer shall keep an account of each bond and note, showing

\*Amended by chapter 216, *post*.

the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds shall be held by the treasurer and paid by him upon warrants drawn by the governor for the purposes of this act alone, until otherwise ordered by the legislature.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved March 27, 1917.]

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CHAPTER 98.

AN ACT TO AUTHORIZE THE GOVERNOR AND COUNCIL TO ACCEPT A TRANSFER TO THE STATE OF THE TITLE TO THE WEBSTER BIRTH-PLACE.

SECTION

1. Authority given to accept title, and for future management of the property.

SECTION

2. Takes effect on passage.

Authority given to accept title, and for future management of the property.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The governor and council are hereby authorized and directed to consider, in connection with the officers of the Webster Birthplace Association, the question whether said association should transfer to the state the title and future control of the Webster Birthplace; and if such transfer shall be deemed expedient, the governor and council are hereby authorized to arrange for the reception and acceptance of the same and for the suitable and proper care and future management thereof.

Takes effect on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 27, 1917.]

## CHAPTER 99.

AN ACT IN AMENDMENT OF CHAPTER 212 OF THE LAWS OF 1913 RELATING TO ADVERTISEMENTS DURING STRIKES, LOCKOUTS OR OTHER LABOR DISPUTES.

## SECTION

1. Prohibits publishing or circulating any advertisement for help in behalf of employer whose help are on strike or lockout, unless.

## SECTION

2. Penalty; recoverable in action of debt, by labor commissioner, to the use of the bureau of labor.
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 1 of said chapter by adding thereto the following words: No person, firm, association or corporation shall knowingly publish or circulate any advertisement for employees which does not comply with the provisions of this section, so that as amended said section shall read: SECTION 1. If any employer, during the continuance of a strike among his employees, or during the continuance of a lockout or other labor trouble among his employees, publicly advertises in newspapers, or by posters or otherwise, for employees, or by himself or his agents solicits persons to work for him to fill the places of strikers, he shall plainly and explicitly mention in such advertisements or oral or written solicitations that a strike, lockout or other labor disturbance exists. No person, firm, association or corporation shall knowingly publish or circulate any advertisement for employees which does not comply with the provisions of this section.

SECT. 2. Amend section 3 of said chapter by striking out the whole thereof and substituting therefor the following: SECT. 3. If any person, firm, association or corporation shall violate any provisions of this chapter, he or they shall be subject to a penalty of twenty-five dollars, to be recovered by the commissioner of labor in the name of his office in an action of debt. All penalties recovered under this chapter shall accrue to the bureau of labor.

SECT. 3. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 27, 1917.]



CHAPTER 100.

AN ACT TO ENCOURAGE THE KNOWLEDGE OF MILITARY EXERCISES  
AMONG THE CITIZENRY OF THE STATE, AND TO PERMIT MILITARY  
INSTRUCTION IN THE PUBLIC SCHOOLS.

SECTION

1. State armories available for organized  
bodies of citizens for military drill,  
when.

SECTION

2. Military drill and physical exercises  
may be taught in public schools.  
3. Repealing clause; takes effect on  
passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

State armories  
available for  
organized bodies  
of citizens for  
military drill,  
when.

SECTION 1. The use of any of the armories now owned or here-  
after erected by the state of New Hampshire shall be available  
to organized bodies of the citizenry of this state for the purpose  
of military drill and instruction, under such regulations for the  
care of the same and the safe keeping of any state property that  
may be therein as may be formulated by the adjutant-general and  
approved by the governor and council. Application for the use  
of such armories must be made by the elected officers of the  
organizations desiring the use of the armory or armories of this  
state in such manner as the adjutant-general may prescribe, and  
the military instruction and the exercises practiced therein shall  
be approved by and subject to the inspection of said adjutant-  
general at any time.

Military drill and  
physical exercises  
may be taught in  
public schools.

SECT. 2. Cities and towns are hereby authorized to include  
military drill and physical exercises in the courses of instruction  
provided by them in the public schools and to appropriate for  
such purposes such sums as they may see fit.

Repealing clause;  
takes effect on  
passage.

SECT. 3. All acts and parts of acts inconsistent with this act  
are hereby repealed, and this act shall take effect upon its  
passage.

[Approved March 27, 1917.]

## CHAPTER 101.

## AN ACT FOR THE PROTECTION OF PUPILS IN PUBLIC AND PRIVATE SCHOOLS.

## SECTION

1. Persons infected with tuberculosis or other communicable disease not to be employed as teachers or janitors.
2. Health officer to examine such, upon complaint, and order suspension if found infected.

## SECTION

3. State board of health to examine, if health officer fails for ten days; and may suspend.
4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. No person shall be employed as teacher or janitor, or in any other capacity, in or about any building used for school purposes who is infected with tuberculosis or any other communicable disease.

SECT. 2. The health officer of any town or city shall upon complaint immediately examine, or cause to be examined, any person alleged to be infected as aforesaid and, if he shall find such person to be so infected, he shall order the temporary or permanent suspension of such infected person from duty.

SECT. 3. If the health officer shall within ten days from the date of filing of complaint fail to take action as herein provided, the complainant may appeal to the secretary of the state board of health, who shall forthwith cause a competent examination to be made and, if such person is found to be infected as charged, shall order his or her exclusion from school as above provided.

SECT. 4. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 27, 1917.]

CHAPTER 102.

AN ACT IN AMENDMENT OF SECTION 16, CHAPTER 287 OF THE PUBLIC STATUTES, AS AMENDED BY SECTION 1, CHAPTER 80, LAWS OF 1901, SECTION 1, CHAPTER 63, LAWS OF 1907, SECTION 1, CHAPTER 70, LAWS OF 1909 AND SECTION 1 OF AN ACT KNOWN AS HOUSE BILL NO. 198, APPROVED MARCH 7, 1917, RELATING TO THE FEES OF SHERIFFS AND DEPUTY SHERIFFS.

SECTION

- 1. Fees, schedule of, as to,
  - (1) Service of writs or other process.
  - (2) Attachment of personal property.
  - (3) Taking bail.
  - (4) Travel.
  - (5) Levying executions.

SECTION

- (6) Attendance upon court.
- (7) Attendance upon justice or police court.
- (8) Copies of writs.
- (9) Attachment of real estate.
- 2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Fees, schedule of, as to,

SECTION 1. That section 16, chapter 287 of the Public Statutes as amended by section 1, chapter 80, Laws of 1901, section 1, chapter 63, Laws of 1907, section 1, chapter 70, Laws of 1909 and section 1 of an act known as house bill No. 198, approved March 7, 1917, be amended by striking out the entire section, as thus amended, and inserting in place thereof a new section to read as follows: SECT. 16. The fees of sheriffs and deputy sheriffs shall be as follows:

- (1) Service of writs or other process.
- (2) Attachment of personal property.
- (3) Taking bail.
- (4) Travel.
- (5) Levying executions.
- (6) Attendance upon court.
- (7) Attendance upon justice or police court.

For the service of every writ, subpoena for every witness named therein, process, notice, or execution, fifty cents.

For making an attachment of personal property upon a writ returnable to the superior court, one dollar; upon a writ returnable to a justice of the peace or a police court, fifty cents.

For taking bail, to be paid by the person bailed, fifty cents.

For actual travel to serve any writ, notice, subpoena process, or execution, to be reckoned from the place of service to the residence of the officer, in no case exceeding fifty miles, and for travel to attend any court, by the order thereof, to be reckoned from the residence of the officer to the court, each mile, each way, ten cents.

For levying executions, on the dollar, for the first hundred dollars levied, three cents; for the residue of the sum levied above one hundred and not exceeding three hundred dollars, two cents; for the residue of the sum levied above three hundred dollars, one cent.

For attending the supreme or superior court by order thereof, to be paid out of the county treasury, the sheriff, each day, three dollars; each deputy, three dollars, to be audited and allowed by the court.

For attending before a justice or police court, on trials where his presence is required, each day, one dollar.

For making copies of writs returnable to the superior court, each, one dollar, and for making copies of writs returnable to police or justice courts, each, fifty cents. For leaving the copy and return required in the attachment of real estate at the dwelling-house or office of a town or city clerk, fifty cents.

(8) Copies of writs.  
(9) Attachment of real estate.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 27, 1917.]

CHAPTER 103.

AN ACT RELATING TO PUBLIC HEALTH AND SAFETY.

SECTION

- 1. Private sanitariums and asylums to be licensed.
- 2. State board of health to issue license; may suspend or revoke the same.

SECTION

- 3. Private asylums or sanitariums open to inspection by state board of health.
- 4. Penalty.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. No person or corporation shall locate, conduct or maintain a sanitarium or asylum for the reception of persons of unsound mind or for the treatment of specific diseases except first having obtained a license so to do from the state board of health.

Private sanitariums and asylums to be licensed.

SECT. 2. Any person or corporation desiring to maintain a sanitarium or asylum for the reception, confinement or control of persons of unsound mind, or for the treatment of specific diseases, shall first make application to the state board of health, and all facts relating to the character of the proposed sanitarium or asylum and of the applicant, shall be thoroughly investigated by said board, who shall, at their discretion, issue a license to such applicant, with such restrictions and regulations as they may deem necessary for the protection of the interests of the state. The state board of health may, in their discretion, revoke or suspend said license.

State board of health to issue license; may suspend or revoke the same.

SECT. 3. Any sanitarium or asylum maintained by any person or corporation shall be open at all times to inspection by the state board of health or such person or officer as said board may designate, and the said state board of health shall have the power to make such orders, rules and regulations for the conduct of such sanitarium or asylum as the board may deem necessary.

Private asylums or sanitariums open to inspection by state board of health.

SECT. 4. Any person who shall violate the provisions of this act shall be fined not exceeding five hundred dollars or be imprisoned not exceeding one year, or both.

Penalty.

[Approved March 27, 1917.]



CHAPTER 104.

AN ACT TO REGULATE THE PLACING OUT IN FAMILY HOMES AND THE  
SUBSEQUENT SUPERVISION OF DEPENDENT AND NEGLECTED CHILDREN.

SECTION

1. State board of charities authorized to procure suitable homes for dependent and neglected children.
2. Expenses of maintenance if public charge to be borne by municipality where child has settlement.
3. Board to assist in enforcement of laws for protection of such children.

SECTION

4. Board may employ agents for that purpose, on approval of governor and council.
5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

State board of  
charities author-  
ized to procure  
suitable homes  
for dependent  
and neglected  
children.

SECTION 1. The state board of charities and correction is hereby authorized and empowered to procure suitable family homes, where practicable, for dependent and neglected children. Said board or its agent shall inspect such homes previous to such placing, maintain subsequent watch, care and supervision of such children, and may remove any such child from such home, at any time when, in its judgment, the conditions therein are not for the best interest of the child. Said board may, when in its judgment the health or condition of any such child shall require it, cause such child to be placed in a hospital or institution for special treatment and care. It shall be the duty of said board, in placing such children, to place them, if practicable, with people of like religious faith with the parents of said children. It shall be the duty of any person, public official, society or institution placing any dependent or neglected child in any family home or institution, to give notice in writing to the state board of charities and correction, within ten days after such placing, stating the name of such child and the names, residence or location of the person or institution with whom or in which such child is placed.

Expenses of  
maintenance if  
public charge to  
be borne by mu-  
nicipality where  
child has  
settlement.

SECT. 2. The expense for the maintenance and care of any such dependent or neglected child shall be borne by the county, city or town legally chargeable for its support if it were a public charge, *provided, however*, that such expense for maintenance and care shall be first approved by the county commissioners, or overseers of the poor, of such county, city or town, and such county, city or town shall have a right of action over for such expense against the parents or guardian of such child.

Board to assist  
in enforcement of  
laws for protection  
of such children.

SECT. 3. It shall be the duty of the board to assist in the enforcement of all laws for the protection of children and to investigate charges that may be brought to its attention, and, if a crime

has been committed, to report to the county solicitor of the county in which the alleged offense has been committed.

SECT. 4. Said board, with the approval of the governor and council, is hereby authorized and empowered to employ such agent or agents as may be necessary properly to perform the duties imposed upon it by law.

Board may employ agents for that purpose, on approval of governor and council.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved March 27, 1917.]

CHAPTER 105.

AN ACT IN AMENDMENT OF SECTION 11, CHAPTER 35, LAWS OF 1905,  
RELATING TO STATE HIGHWAYS.

SECTION 1. Towns not entitled to state aid, when.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 11, chapter 35, Laws of 1905 (as amended), by striking out the following paragraph: "Towns in which highways more than three miles in length have been or shall be taken or appropriated as state highways shall not be entitled to state aid under the provisions of this act."

Towns not entitled to state aid, when.

[Approved March 27, 1917.]

CHAPTER 106.

AN ACT TO BETTER BIRTH REGISTRATION.

SECTION

- 1. City and town clerks to send copy of report of birth to parents of child, and secure the child's full name, if not given.

SECTION

- 2. Penalty.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. It shall be the duty of city and town clerks within thirty days after receiving the report of a birth, to send a copy of the record to the parents, and state that the birth has been duly

City and town clerks to send copy of report of birth to parents of child, and secure the

child's full name, recorded on the city or town books, and if the name of the child is  
if not given. not given, it shall be the duty of the clerk to obtain it and complete  
the record under the provisions of chapter 16, Laws of 1893.

Penalty. SECT. 2. If any official shall violate the provisions of this act,  
he shall be punished by a fine of ten dollars.

[Approved March 27, 1917.]

CHAPTER 107.

AN ACT RELATING TO VACANCIES IN THE OFFICE OF JUDGE OF PROBATE.

SECTION	SECTION
1. Register of probate to call in some other judge of probate. Compensation of judge supplying such vacancy.	2. Powers of judge supplying vacancy. 3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Register of probate to call in some other judge of probate, Compensation of judge supplying such vacancy.

SECT. 1. Strike out section 17 of chapter 182 of the Public Statutes and insert in place thereof the following: SECT. 17. Whenever there is a vacancy in the office of the judge of probate of any county or the judge shall be unable to attend at a regular term of the probate court, the register of probate shall call upon the judge of probate of some other county in this state, who shall act during said vacancy or inability of the judge to attend. Said judge shall receive ten dollars (\$10) per day and his traveling expenses for each day of actual service, which sum shall be paid by the county in which he sits.

Powers of judge supplying vacancy.

SECT. 2. Strike out section 18 of chapter 182 of the Public Statutes and insert in place thereof the following: SECT. 18. The judge so holding court is authorized to do any business that the probate judge for the county could lawfully do.

Repealing clause; takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 27, 1917.]

## CHAPTER 108.

## AN ACT PROVIDING FOR TAXATION OF DEPOSITS IN THE SAVINGS DEPARTMENTS OF NATIONAL BANKS.

## SECTION

1. Money so deposited not subject to check, or represented by negotiable certificates, exempt from taxation, when.
2. Such banks may pay state tax, on what, and rate.
3. Bank so electing, to report its conditions to state treasurer on or before May 1st, annually.

## SECTION

4. Unpaid tax bears interest at 10%.
5. Such tax to be distributed as taxes paid by banks organized under N. H. laws.
6. National bank electing as above, shall notify state treasurer, on or before March first in each year.
7. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Money deposited in the savings department of any national bank in this state, bearing interest and not subject to check or represented by negotiable certificates of deposit, is exempted from taxation to the depositor, *provided* said bank elects to pay taxes under the provisions of this act.

SECT. 2. If any national bank in this state so elects, it may pay to the state treasurer annually a tax upon the amount of all deposits on the first day of April in each year in its savings department, bearing interest and not subject to check or represented by negotiable certificates of deposit, after deducting therefrom the amount invested by such bank in all loans, bonds and notes, and real estate used for banking purposes, which savings banks are or may be allowed to deduct in determining the excise tax payable by them under the laws of this state now or hereafter in force, *provided* that no such investment shall be deducted if it has been included by the cashier of such bank as a deduction from capital stock, surplus, and undivided profits in the list required to be mailed by him to the selectmen or assessors under the provisions of Laws of 1895, chapter 113, section 4. The rate of such tax on the dollar shall be the same as the rate of excise tax imposed on savings banks of this state, and the same shall be payable to the state treasurer annually on the first day of October.

SECT. 3. Any national bank electing to pay the tax provided in this act shall on or before the first day of May in each year transmit to the state treasurer, upon blanks to be furnished by him, a statement under oath of its cashier, prepared to show conditions on the first day of April in such year and containing such information as shall be requisite in order to enable the state treasurer to assess such tax and collect and apply the same as provided by this act.

SECT. 4. If any national bank in this state which elects to pay taxes as provided for in this act, shall not pay the same when due,

Money so deposited not subject to check, or represented by negotiable certificates, exempt from taxation, when.

Such banks may pay state tax, on what, and rate.

Bank so electing, to report its conditions to state treasurer on or before May 1st, annually.

Unpaid tax bears interest at 10%.



it shall pay interest thereon from that time at the rate of ten per cent. per annum, and the state treasurer shall issue his extent against any such bank for the unpaid taxes and interest.

Such tax to be distributed as taxes paid by banks organized under N. H. laws. National bank electing as above, shall notify state treasurer, on or before March first in each year.

SECT. 5. The taxes paid under provisions of this act shall be retained and distributed by the state treasurer in the same manner as are the taxes paid by banks organized under the laws of this state.

SECT. 6. Each national bank in this state electing to make reports and pay taxes as provided for in this act shall on or before the first day of March in each year file a certificate of such election with the state treasurer.

Takes effect on passage.

SECT. 7. This act shall take effect upon its passage.

[Approved March 31, 1917.]

CHAPTER 109.

AN ACT IN AMENDMENT OF SECTION 1, OF CHAPTER 66, LAWS OF 1899, ENTITLED “AN ACT TO PREVENT THE DESECRATION OF THE NATIONAL AND STATE FLAGS,” AS AMENDED BY CHAPTER 87, LAWS OF 1915.

SECTION

1. No symbols, names, pictures, mottoes, or other matter to be appended to national or state flags.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

No symbols, names, pictures, mottoes, or other matter to be appended to national or state flags.

SECTION 1. Section 1, chapter 66, Laws of 1899, as amended by section 1, chapter 87, Laws of 1915, is hereby amended by striking out the last clause of said section, to wit ; “and flags displayed with names, symbols, pictures, or mottoes representing political parties and used for such purposes alone, and flags used by societies of a religious or fraternal nature, shall be exempt from the provisions of this act.”

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 3, 1917.]

## CHAPTER 110.

AN ACT IN AMENDMENT OF CHAPTER 106 OF THE LAWS OF 1901, ENTITLED "AN ACT FOR THE PRODUCTION AND SALE OF PURE MILK IN THE MARKETS OF THE STATE."

SECTION 1. Graduate chemists employed by the state board of health, with their implements, exempt from previous act.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 106 of the Laws of 1901, entitled "An Act for the production and sale of pure milk in the markets of the state," is hereby amended by renumbering SECT. 5 of said chapter so that the same shall be entitled SECT. 6, and by inserting after SECT. 4 a new section to read as follows: SECT. 5. The provisions of this act shall not apply to graduate chemists in the employ of the state board of health, or to the glassware and other instruments as verified and used by such chemists at the state laboratory of hygiene.

[Approved April 3, 1917.]

## CHAPTER 111.

AN ACT RELATING TO THE SALARY OF THE DEPUTY REGISTER OF PROBATE OF THE COUNTY OF MERRIMACK.

## SECTION

1. Salary established at \$800; repealing provisions of sec. 4, ch. 88, Laws of 1907, so far as inconsistent.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The salary of the deputy register of probate of the county of Merrimack shall hereafter be eight hundred dollars per annum, payable as now provided by law; and so much of section 4, chapter 88, of the Laws of 1907, and amendments thereto as is inconsistent with this act is hereby repealed.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 3, 1917.]

CHAPTER 112.

AN ACT IN AMENDMENT OF CHAPTER 176 OF THE LAWS OF 1915, RELATING TO THE MANAGEMENT AND CONTROL OF STATE INSTITUTIONS.

SECTION

1. State house and buildings of the N. H. College of Agriculture, withdrawn from control trustees of state institutions. Repealing certain prior laws.
1. [Of new act.] Trustees; number; qualifications; appointment; tenure of office; appointment and vacancies.

SECTION

2. Board to meet at least once a week.
3. Each institution to be visited monthly, by members in rotation.
4. Compensation, and expenses; clerical assistance.
2. Takes effect on passage; tenure of office of prior board terminates on appointment and qualification of new board.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

State house and buildings of the N. H. College of Agriculture, withdrawn from control trustees of state institutions. Repealing certain prior laws.

SECTION 1. Amend chapter 176 of the Laws of 1915 by adding after the words "state buildings" in the fifth line of section 1, the words except the state house and the buildings of the New Hampshire College of Agriculture and the Mechanic Arts, and by inserting the words except the New Hampshire College of Agriculture and the Mechanic Arts, after the word "state" in the seventh line of section 1, and by striking out sections 2, 3, 4, and 5, and substituting in their place the following sections 2, 3, 4, and 5, so that said sections shall read as follows: SECTION 1. There is hereby created a board of trustees of state institutions, for the management of the state hospital, the school for feeble-minded children, the industrial school, the state sanatorium for consumptives, and the state prison; for the making of extensive repairs and new construction of all state buildings except the state house and the buildings of the New Hampshire College of Agriculture and the Mechanic Arts; and for the purchase of supplies and material for all institutions and executive departments of the state except the New Hampshire College of Agriculture and the Mechanic Arts. All the powers and duties heretofore imposed and conferred upon the trustees of the state hospital, the school for feeble-minded children, the industrial school, and the state sanatorium for consumptives, and all the powers and duties imposed and conferred upon the governor and council relative to the state prison, except as to pardons, are imposed and conferred upon the board of trustees created by this act, together with such further powers as may be essential to the full and complete supervision of said state institutions.

Trustees; number; qualifications; appointment; tenure of office; appointment and vacancies.

SECT. 2. \*The governor, with the advice and consent of the council, shall appoint four suitable persons, of whom not more than three shall be of the same political party, one for four years, one for three years, one for two years, and one for one year, who, to-

\* Amended by chapter 206; post.

gether with the governor, *ex officio*, shall constitute said board. Upon the expiration of the term of office of a trustee, a successor shall be appointed in the same manner for a term of four years. Each trustee shall hold office until his successor is appointed and qualified. Any vacancies shall be filed by appointment by the governor and council as aforesaid, for the unexpired term.

SECT. 3. Said board shall hold a regular meeting at least once each week, at which time it shall hear such matters as the superintendents of the institutions under its supervision may desire to bring to its attention, and it may meet at such other times as the proper performance of its duties under this act may require.

Board to meet at least once a week.

SECT. 4. Each institution under the supervision of said board shall be visited and inspected by a member thereof at least once each month, and the board shall make rules for such visit and inspection by its members, in rotation, and such other rules for the performance of its duties as it may deem proper.

Each institution to be visited monthly, by members in rotation.

SECT. 5. The members of said board shall receive as compensation, eight dollars per day, and their actual and necessary expenses, for each day they are actually engaged in their official duties, the same to be approved by the governor and council, and paid from the treasury upon the warrant of the governor. The board shall have authority, with the approval of the governor and council, to employ such clerical assistance, and fix the compensation thereof, as may be necessary for the proper performance of the duties imposed upon it by this act.

Compensation, and expenses; clerical assistance.

SECT. 2. This act shall take effect upon its passage and the terms of office of the trustees appointed under the provision of chapter 176 of the Laws of 1915 shall cease upon the appointment and qualification of the trustees provided for by this act.

Takes effect on passage; tenure of office of prior board terminates on appointment and qualification of new board.

[Approved April 3, 1917.]

CHAPTER 113.

AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF AN ANNUAL STATE TAX FOR THE TERM OF TWO YEARS.\*

SECTION

1. \$750,000 annual state tax for 1917, 1918.

SECTION

2. Takes effect on passage; repealing clause.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The sum of seven hundred and fifty thousand dollars shall be raised annually for the use of the state, for the years 1917, 1918.

\$750,000 annual state tax for 1917, 1918.

\* See also chapter 211, *post*.



1917 and 1918, and the state treasurer is hereby authorized and directed seasonably to issue his warrants to the selectmen of the several towns and places and to the assessors of the several cities in the state, according to the apportionment of the public taxes made at the January session of the legislature of 1917, and the selectmen of such towns and places, and the assessors of such cities, are hereby directed to assess the sums specified in said warrants, and cause the same to be paid to said treasurer on or before the first day of December, 1917 and 1918, and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the dates last mentioned.

Takes effect on passage; repealing clause.     SECT. 2. This act shall take effect upon its passage, and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved April 3, 1917.]

CHAPTER 114.

AN ACT IN RELATION TO MEDICAL INSPECTION OF SCHOOLS.

SECTION

- 1. School boards to insert clause in warrant for annual meeting relative to the adoption of the provisions of ch. 83, Laws of 1913.

SECTION

- 2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

School boards to insert clause in warrant for annual meeting relative to the adoption of the provisions of ch. 83, Laws of 1913.

SECTION 1. The school board of every city, union, special or town school district, shall hereafter cause to be inserted in the warrant for the annual meeting of said district an article relating to the adoption of the provisions of chapter 83 of the Laws of 1913, providing for the medical inspection of schools, unless said district has already adopted the provisions of said chapter.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 3, 1917.]

## CHAPTER 115.

AN ACT IN RELATION TO TRANSPORTATION OF THE MEMBERS OF THE  
LEGISLATURE.

## SECTION

1. Limited to (a) residence to Concord and return, and (b) committees and county delegations to places necessary to properly conduct legislative business.

## SECTION

2. Takes effect the last Wednesday in December, 1918.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Unless, on account of some emergency, the governor otherwise specifically directs, the railroad transportation provided by the secretary of state to the members of the legislature during the sessions thereof shall be limited: (a) to transportation to and from the place of residence of the member and the city of Concord; (b) transportation of members of committees and county delegations on trips to places in this state which are reasonably necessary to the proper conduct of legislative business.

SECT. 2. This act shall take effect the last Wednesday in December, 1918.

Takes effect the last Wednesday in December, 1918.

[Approved April 3, 1917.]

## CHAPTER 116.

## AN ACT AUTHORIZING ADMINISTRATORS, EXECUTORS, ASSIGNEES, SHERIFFS AND TRUSTEES TO SELL INTOXICATING LIQUORS.

## SECTION

1. May sell in bulk to licensed dealer.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Any administrator, executor, sheriff, assignee or trustee, may sell in bulk such intoxicating liquors as come into his hands in said capacity, to any licensed dealer in intoxicating liquors.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 3, 1917.]

CHAPTER 117.

AN ACT RELATIVE TO TOWN HIGHWAYS.

SECTION

- 1. State highway commissioner may designate main town highway, or part thereof, for maintenance under state patrol system.
- 2. Selectmen to withdraw such from road agents, and arrange with state highway department for its maintenance.

SECTION

- 3. State highway department to make rules for control of same.
- 4. Mayor and aldermen may accept the provisions of this act; and county commissioners as to county highways.
- 5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

State highway commissioner may designate main town highway, or part thereof, for maintenance under state patrol system.

Selectmen to withdraw such from road agents, and arrange with state highway department for its maintenance.

State highway department to make rules for control of same.

Mayor and aldermen may accept the provisions of this act; and county commissioners as to county highways.

Repealing clause; takes effect on passage.

SECTION 1. The state highway commissioner, whenever in his opinion the public good so requires, may designate any main town highway, or section of same, which has not been improved under the provisions of the state aid laws, for maintenance under the state patrol system.

SECT. 2. Authority is hereby given to towns in which such designated highway, or section of same, is located, to instruct its selectmen to take said designated highway from the regular road agents district and arrange with the state highway department to maintain said section under the state patrol system of highway maintenance according to the provisions of this act.

SECT. 3. Said designated highways shall be maintained by the state highway department under such rules and regulations as the state highway commissioner shall make.

SECT. 4. Cities may accept the provisions of this act through the mayor and city councils or such other board as has jurisdiction over the highways of cities. County commissioners having jurisdiction over the maintenance of any town or county highways may accept the provisions of this act for highways under their control.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 3, 1917.]

CHAPTER 118.

AN ACT TO REGULATE THE PRACTICE OF EMBALMING AND THE TRANSPORTATION OF DEAD HUMAN BODIES.

SECTION

1. Qualifications of embalmers; required to pass examinations.
2. Embalmers to be licensed, annually.
3. Revocation of license.
4. Examinations to be conducted semi-annually.
5. Board of examiners; qualifications; appointment and tenure of office.
6. State board of health to keep list of licensed embalmers; also examination papers; all open to public inspection.
7. Board of examiners to keep record of licenses issued; and of receipts and disbursements.
8. Fees for examinations; license; compensation of examining board.

SECTION

9. Renewal of licenses.
10. Secretary of board of examiners to supply licensed embalmers with list of all such in the state; secretary of state board of health to supply same to transportation companies, in January of each year.
11. Secretary of board of examiners to notify holders of license, of its expiration, ten days prior thereto.
12. If cause of death is suspicious, embalming to be delayed until investigation is held.
13. Penalty.
14. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Any person hereafter wishing to become an embalmer of dead human bodies, or to engage in caring for and preparing dead bodies for burial, transportation or cremation, shall be at least twenty-one years of age with not less than a grammar school education, and shall have practiced embalming dead human bodies for at least twelve months. and shall have had at least one term of practical instruction in embalming and disinfecting in a school of embalming approved by the board of examiners, and shall have an intelligent comprehension of such rudiments of anatomy, and of the characteristics of, and the dangers from contagious and infectious diseases, and of the actions and uses of disinfectant agencies, as the state board of health may prescribe as necessary for the protection of the living, before he or she is permitted to practice said business or profession within the state, and shall be required to pass an examination before a board of examiners, created and empowered by the eight following sections.

SECT. 2. After the examination has been completed the state board of examiners shall judge of the qualification of the applicant, and, if satisfactory, the certificate of a licensed embalmer shall be issued to him or her, under which he or she shall have legal authority to prepare bodies dead of infectious or contagious disease for transportation, and to do any work coming within the province of his or her said vocation. No license shall be issued or renewed for a period exceeding one year, and all licenses now in force shall expire January 1, 1918, but shall be renewed under the provisions of this act.



Revocation of license.

SECT. 3. The state board of examiners may revoke, for cause, any license issued by it, and failure to comply with the law and the regulations of the state board of health shall be deemed sufficient provocation for the revocation of a license.

Examinations to be conducted semi-annually.

SECT. 4. Examinations for licenses shall be given by the state board of examiners at least twice annually, at such time and place as they may determine. The examination papers shall contain such questions relating to the subject of embalming and disinfecting as the board may deem necessary to determine the qualifications of the applicant for the business, and if found qualified, a certificate, as provided for in section 12, shall be granted him or her.

Board of examiners; qualifications; appointment and tenure of office.

SECT. 5. The board of examiners shall consist of four members, viz: the secretary of the state board of health, who shall be secretary of the board of examiners, and three other members, who shall be appointed by the governor with the advice and consent of the council within thirty days after the passage of this act, one of whom shall be a member of the state board of health and two of whom shall be practical undertakers and embalmers, and who shall hold office for three years from the date of their appointment and until their successors are appointed and qualified. In case of a vacancy due to death, resignation or other cause, the vacancy shall be filled by appointment for the unexpired term, in the same manner as in the case of original appointments.

State board of health to keep list of licensed embalmers; also examination papers; all open to public inspection.

SECT. 6. The state board of health may adopt such blanks and forms of procedure as it may deem necessary and best to carry out the provisions of sections 11 to 14 inclusive, and it shall keep on file a list of all registered and licensed embalmers and a record of examinations, together with the examination papers, all of which shall be open to public inspection.

Board of examiners to keep record of licenses issued; and of receipts and disbursements.

SECT. 7. The board of examiners shall keep a record, containing the names and residences of all persons licensed hereunder, and a record of all moneys received and disbursed by said board, and said records, or duplicates thereof, shall always be open to inspection in the office of the secretary of the state board of health during regular office hours. Said board of examiners shall report to the state board of health, on or before the first day of May in each year; the report to contain a full and complete account of all its official acts during the year, together with a statement of the receipts and disbursements of the board and such comments as may be deemed proper.

Fees for examinations; license; compensation of examining board.

SECT. 8. The fee for examination under sections 11 to 14 inclusive, shall be five dollars (\$5); for the issuing or renewal of any license one dollar (\$1) and for the revival and renewal of any license two dollars (\$2). The money thus received by the board of examiners shall constitute a permanent fund for carrying out the work provided in said sections. From the money thus received the expenses for printing, for stationery, for postage, for other expenses

necessarily incurred under the provisions of said sections and for full compensation of the members of the board of examiners, shall be paid. The board of examiners shall be entitled to five dollars (\$5) per day and expenses each during session. The secretary of the examining board shall receive the same compensation as the other members of the board and five dollars (\$5) additional per day while actually employed in the performance of his said duties; any balance shall be turned into the treasury of the board of examiners. The secretary of the examining board shall act as treasurer of the board, and shall deposit or otherwise care for any money which may be in the treasury as he may be instructed by vote of the board of examiners.

SECT. 9. Any person holding an embalmer's license may have the same renewed, for not to exceed one year, by making and filing with the secretary of said board of examiners an application therefor within thirty days preceding the expiration of his or her license, upon blanks prescribed by said board and upon payment of one dollar (\$1) renewal fee; *provided, however*, that any person neglecting or failing to have his or her license renewed as above, may have the same renewed by making application therefor within thirty days after date of expiration, and upon payment of two dollars (\$2) revival and renewal fees.

SECT. 10. In the month of January of each and every year, the secretary of said board of examiners shall supply each licensed embalmer, and the secretary of the state board of health shall supply the various transportation companies within this state, with a list of all embalmers holding licenses, then in force, giving the names of such persons, their business, address and the number of their license.

SECT. 11. The secretary of said board of examiners shall at least ten days prior to the expiration of any license mail a notice to such holder of license about to expire under this act advising him or her to that effect, and enclose him or her therewith a blank application for renewal thereof. The secretary of said board shall also mail a notice to each holder of a license under this act that has not been renewed in accord with the foregoing provisions, advising him or her of the expiration of his or her license, and the penalty of embalming dead human bodies without holding a license and the condition and terms upon which his or her license may be revived and renewed. All notices required to be mailed by provisions of this act shall be directed to the last known postoffice of the party to whom the notice is sent.

SECT. 12. No person shall inject into any cavity or artery of the body of any person who has died from an accidental or sudden death or under suspicious circumstances, any fluid or substance until a legal certificate of the cause of death from the attending physician or coroner has been obtained, nor until a legal investiga-

Renewal of licenses.

Secretary of board of examiners to supply licensed embalmers with list of all such in the state; secretary of state board of health to supply same to transportation companies, in January of each year.

Secretary of board of examiners to notify holders of license, of its expiration, ten days prior thereto.

If cause of death is suspicious, embalming to be delayed until investigation is held.

tion has determined the cause of death. If a criminal cause of death is alleged or suspected, no fluid or other substance shall be injected into a body until the cause of death is legally established.

Penalty.

SECT. 13. Any person who shall be guilty of the violation of any of the provisions contained in the preceding sections, or who shall violate any rule or regulation prescribed by said board of health for the preparation, embalming, shipping or burial of any dead human body shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or imprisonment in the county jail not less than ten days nor more than sixty days, and it shall be the duty of the county attorney of the county in which violation occurs to prosecute all such persons.

Repealing clause; takes effect on passage.

SECT. 14. All acts and parts of acts inconsistent with this act, are hereby repealed.

[Approved April 3, 1917.]

CHAPTER 119.

AN ACT AUTHORIZING THE EMPLOYMENT OF PRISONERS ON STATE HIGHWAYS, PREPARATION OF ROAD MATERIALS, AND IN STATE FORESTRY, AUTHORIZING EXTRA GOOD TIME ALLOWANCE AND PROVIDING PENALTIES FOR INTERFERENCE.

SECTION

1. Prisoners in state prison may be employed on state highways.
2. Approval of board of trustees for state institutions, and warden of state prison, required.
3. State highway commissioner to supervise work and provide transportation and maintenance.
4. Warden of state prison to have jurisdiction over discipline.
5. Expense borne by highway department.
6. Prisoner so employed, who observes rules, etc., entitled to allowance of three days per month from minimum sentence.

SECTION

7. County commissioners may employ prisoners from jail and houses of correction on highways or in state forestry. Custody while so employed.
8. Penalty for interfering with work of prisoners or supplying them with drugs, liquors, weapons or explosives.
9. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Prisoners in state prison may be employed on state highways.

SECTION 1. The state highway commissioner of New Hampshire may employ or cause to be employed convicts confined in the state prison in the construction, improvement and maintenance of state highways and in preparing road materials.

SECT. 2. Upon requisition of the state highway commissioner, Approval of board of trustees for state institutions, and warden of state prison, required. duly approved by the board of trustees of state institutions, and under such rules and restrictions as may be prescribed by them, the warden shall send to the place at the time designated the number of convicts requisitioned or such proportion thereof as are in his judgment available.

SECT. 3. The state highway commissioner shall designate and State highway commissioner to supervise work and provide transportation and maintenance. supervise the work of such convicts, shall provide transportation, shall provide, supervise and maintain necessary camps and commissariat.

SECT. 4. The warden of the state prison shall have jurisdiction Warden of state prison to have jurisdiction over discipline. at all times over the discipline and control of convicts thus employed.

SECT. 5. The expense of transportation of labor, necessary Expense borne by highway department. guarding, commissariat, camps and all other expense incidental to such work shall be borne by the respective funds provided for such state highways.

SECT. 6. A prisoner employed as hereinbefore provided, whose Prisoner so employed, who observes rules, etc., entitled to allowance of three days per month from minimum sentence. record of conduct while so employed shows that he has faithfully observed all the rules of the state prison governing such employment, and has not been subjected to punishment, shall be eligible for parole as provided for in chapter 120 of the Laws of 1909, at a time in advance of the expiration of the minimum term of his sentence, to be computed by deducting therefrom not to exceed three days for every month he has been so employed.

SECT. 7. The county commissioners of any county may make County commissioners may employ prisoners from jail and houses of correction on highways or in state forestry. Custody while so employed. arrangements with the state highway commissioner or with officials of a city or town to work prisoners from the jail or house of correction on the construction, improvement or maintenance of highways, preparation of road materials or with the state forester for the employment of such prisoners. Prisoners so worked who come from the county jail shall be in the custody of the sheriff of the county, and prisoners so worked from the house of correction shall be in the custody of the superintendent thereof.

SECT. 8. Any person, who, without authority, interferes with Penalty for interfering with work of prisoners or supplying them with drugs, liquors, weapons or explosives. or in any way interrupts the work of any prisoner employed pursuant to this act, and any person not authorized by law, who gives or attempts to give to any prisoner so employed any narcotic, or intoxicating liquors, or drug of any kind whatever, or firearms, weapons or explosives of any kind, shall be deemed guilty of felony, and upon conviction thereof shall be punished by imprisonment in the state prison for a term of not less than one year and not more than five years.

SECT. 9. All acts and parts of acts in conflict with the provisions of this act are hereby repealed. Repealing clause; takes effect on passage.

[Approved April 3, 1917.]



CHAPTER 120.

AN ACT RELATIVE TO MORTGAGES TO SECURE FUTURE OBLIGATIONS, AND  
IN AMENDMENT OF CHAPTERS 139 AND 140 OF THE PUBLIC STATUTES.

SECTION

- 1. Mortgages to secure future indebtedness stated in the mortgage, valid when debt incurred.

SECTION

- 2. Form of oath on chattel mortgages given to secure future indebtedness.
- 3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Mortgages to secure future indebtedness stated in the mortgage, valid when debt incurred.

SECTION 1. Section 3 of chapter 139 of the Public Statutes is hereby amended by adding at the end thereof the following: *Provided, however,* that a mortgage or deed of trust which purports to be given in whole or in part as security for notes or bonds thereafter to be issued or other expectant future obligations, and which states the nature and the total or maximum amount of the notes, bonds or other obligations designed to be secured by it, shall become a lawful security for such notes, bonds or other obligations as, when and to the extent that the same shall actually be issued or come into existence as valid obligations of the mortgagor, so that said section as amended shall read as follows: SECT. 3. No estate conveyed in mortgage shall be holden by the mortgagee for the payment of any sum of money or the performance of any other thing the obligation or liability to the payment or performance of which arises, is made, or contracted after the execution and delivery of the mortgage. *Provided, however,* that a mortgage or deed of trust which purports to be given in whole or in part as security for notes or bonds thereafter to be issued or other expectant future obligations, and which states the nature and the total or maximum amount of the notes, bonds or other obligations designed to be secured by it, shall become a lawful security for such notes, bonds or other obligations as, when and to the extent that the same shall actually be issued or come into existence as valid obligations of the mortgagor.

Form of oath on chattel mortgages given to secure future indebtedness.

SECT. 2. Section 6 of chapter 140 of the Public Statutes is hereby amended by adding at the end thereof the following: *Provided, however,* that where a mortgage is given in whole or in part as security for notes or bonds thereafter to be issued or other expectant future obligations, the affidavit need not refer to the same as presently due and owing, but may be so varied as to aver that they will be just obligations honestly due and owing when and as they are issued or come into existence; and *provided further,* that where the mortgagee is a trustee for the benefit of the holders of notes, bonds or other obligations, such trustee need make affidavit only to the fact that he receives the mortgage or deed of trust in

good faith for the purposes therein stated, so that said section as amended shall read as follows: SECT. 6. Each mortgagor and mortgagee shall make and subscribe an affidavit in substance as follows: We severally swear that the foregoing mortgage is made for the purpose of securing the debt specified in the condition thereof, and for no other purpose whatever, and that said debt was not created for the purpose of enabling the mortgagor to execute said mortgage, but is a just debt, honestly due and owing from the mortgagor to the mortgagee. *Provided, however,* that where a mortgage is given in whole or in part as security for notes or bonds thereafter to be issued or other expectant future obligations, the affidavit need not refer to the same as presently due and owing, but may be so varied as to aver that they will be just obligations honestly due and owing when and as they are issued or come into existence; and *provided further,* that where the mortgagee is a trustee for the benefit of the holders of notes, bonds or other obligations, such trustee need make affidavit only to the fact that he receives the mortgage or deed of trust in good faith for the purposes therein stated.

SECT. 3. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 3, 1917.]

## CHAPTER 121.

### AN ACT PROVIDING FOR A CONVENTION OF DELEGATES FOR THE PURPOSE OF REVISING THE CONSTITUTION.

#### SECTION

1. Delegates to be chosen in towns at March meeting, 1918.
2. Any voter qualified to sit as delegate.
3. Same number of delegates as representatives, except no town without representation.
4. Certificates of election.
5. Secretary of state to prepare blank certificates.

#### SECTION

6. Convention to organize first Wednesday of June, 1918, at state house.
7. Amendments suggested, how presented to electorate.
8. Secretary of state to furnish convention with supplies.
9. Governor to contract for transportation. Compensation of members and officers.
10. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That at the election in the several towns of this state to be holden on the second Tuesday of March, A. D., 1918, and at a special election in the several cities of this state to be holden on said second Tuesday of March, A. D., 1918, delegates to a convention to revise the constitution of this state shall be chosen

Delegates to be  
chosen in towns  
at March meeting,  
1918.

and an article therefor shall be inserted in the warrants calling said meetings; and all the laws relating to the election of representatives to the general court, so far as the same may be applicable, shall apply to the election of delegates except as herein otherwise provided.

Any voter qualified to sit as delegate.

SECT. 2. Any person shall be eligible to a seat in said convention who by the laws of this state is a qualified voter in the town or district from which he may be elected.

Same number of delegates as representatives, except no town without representation.

SECT. 3. The delegates shall be proportioned as the representatives to the general court, except that, each and every town shall be entitled to send one delegate at least.

Certificates of election.

SECT. 4. Town clerks and clerks of supervisors of election shall deliver to the person or persons elected a certificate of his or their election.

Secretary of state to prepare blank certificates.

SECT. 5. The secretary of state is directed to prepare and seasonably transmit to the several town clerks suitable blank forms for certificates of the election of delegates.

Convention to organize first Wednesday of June, 1918, at state house.

SECT. 6. The delegates so chosen shall meet in convention at the capitol in Concord on the first Wednesday of June, A. D., 1918, at 11 o'clock in the forenoon, and shall proceed to organize themselves in convention by choosing by ballot one of their number as president, and such other officers as they may deem necessary; they shall be the judges of election and returns of their own members, and may establish rules of proceeding, and when organized shall proceed to revise the constitution.

Amendments suggested, how presented to electorate.

SECT. 7. If alterations or amendments of the constitution shall be agreed to by said convention, they shall be so arranged and prepared that the same can be voted on by the people separately, unless the convention shall be of the opinion that it is impracticable so to prepare and arrange them, in which case the amendments shall be voted on together; and in either case the convention shall prescribe the mode of publication of the amendments, the time and manner in which the same shall be submitted to the people for their approval, and may pass an ordinance in relation to the manner of ascertaining their decision and declaring and publishing the same, the time when such amendments as shall be approved shall take effect, and may do any and all other things which they deem necessary to carry out the purpose and object of such convention.

Secretary of state to furnish convention with supplies.

SECT. 8. It shall be the duty of the secretary of state to furnish said convention such books, documents, papers, stationery, and printing as the convention shall require or order.

Governor to contract for transportation. Compensation of members and officers.

SECT. 9. The governor is hereby authorized and directed to contract prior to the session of the constitutional convention for the steam railroad transportation of the delegates, officers and employees of the same. Said contract shall be made in the name of the state and the cost thereof shall be paid from the treasury upon the warrant of the governor. Such payment shall be in lieu of all

mileage of delegates and officers of the constitutional convention, and for his attendance each member shall receive three dollars per day during the said convention, except that the clerk and assistant clerk shall receive the same pay as a member of the convention and such additional sums as the governor and council may allow for making up the journals, the same to be paid out of the treasury.

Takes effect on passage.

SECT. 10. This act shall take effect from and after its passage.

[Approved April 3, 1917.]

CHAPTER 122.

AN ACT RELATING TO THE SCHOOL YEAR AND IN AMENDMENT OF SECTION 13, CHAPTER 92 OF THE PUBLIC STATUTES.

SECTION

- 1. Fiscal year of school districts to end August 31st.
- 2. Appropriations to be made for expenditures during year to end August 31st.
- 3. Selectmen to pay appropriations to treasurer of district, before October 2, and monthly thereafter, as required.

SECTION

- 4. School boards to file reports with state superintendent during first fifteen days of September annually.
- 5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The fiscal year of town and special school districts beginning February 16, 1917, shall end August 31, 1918, and thereafter the fiscal and the scholastic year shall end August 31, annually.

Fiscal year of school districts to end August 31st.

SECT. 2. At its annual meeting holden in accordance with the provisions of section 1, chapter 90 of the Public Statutes, such school districts shall raise and appropriate money for the support of schools to be expended during the fiscal year beginning September 1, next succeeding.

Appropriations to be made for expenditures during year to end August 31st.

SECT. 3. The selectmen shall pay over to the district treasurer, annually, on or before October 1, and monthly thereafter, such sums as the school board shall require for the maintenance of the schools.

Selectmen to pay appropriations to treasurer of district, before October 2 and monthly thereafter, as required.

SECT. 4. Section 13 of chapter 92 of the Public Statutes relating to reports of school boards to the state superintendent, as amended by chapter 5 of the Laws of 1903, is hereby repealed and in place thereof there is substituted the following: SECT. 13. School boards shall, on or before the fifteenth day of September in each

School boards to file reports with state superintendent during first fifteen days of September annually.



year, send to the superintendent of public instruction copies of their annual reports and answers to the questions proposed by him relating to the schools in their districts.

Repealing clause;  
takes effect on  
passage.

SECT. 5. All acts and parts of acts in so far as they are inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 4, 1917.]

## CHAPTER 123.

### AN ACT CONCERNING THE MILITIA.

1. Military duty, who subject to.
2. Militia classified as the unorganized militia, and the national guard.
3. Unorganized militia includes whom.
4. Unorganized militia may be ordered into service by governor, in time of war, invasion, rebellion or riot. Drafting classified and regulated.
5. "Town" defined for purpose of this act.
6. Annual enrollment of citizens qualified for militia, in towns, to be furnished to adjutant-general.
7. Incorrect enrollment, jurisdiction of superior court to cause new enrollment.
8. Exemptions from military service in unorganized militia.
9. Penalty for selectman's failure to perform duty imposed by this act. Procedure.
10. Penalty for refusing information for enrollment. Enrolling officers may administer oaths.
11. Examining surgeons, how appointed; duties. Penalty for refusing to act.
12. Governor to be commander-in-chief of unorganized militia and national guard. Powers.
13. Governor's staff, who qualified for.
14. Adjutant-general, powers and duties. Bond of. Account of expenditures etc.; how audited.
15. National guard, number of enlisted men, in times of peace.
16. National guard, organization, equipment and training, to accord with national regulations. Governor may increase force in times of war, etc.
17. National guard, qualifications for, and period of enlistment.
18. National guard officers, qualifications of, to accord with federal regulations.
19. National guard officers, removed how.
20. Discharge; honorable and dishonorable, from national guard; effect of.
21. Governor empowered to order out national guard in case of riot or civil commotion.
22. National guard may do escort duty or special service, on orders from governor; and shall participate in encampments, etc., in accordance with federal regulations.
23. Commanding officer may contract for use of land for maneuvers, at agreed price.
24. Rent, disagreement as to, determined by the county commissioners. Procedure.
25. Appeal from award of commissioners to superior court. Trial by jury.
26. Encampment and inspections, how warned by commander.
27. Same, warning by noncommissioned officer.
28. National guard to assemble for drill, in accordance with federal regulation, or on orders from the governor.
29. Draft for national guard, in time of peace, regulated.
30. Adjutant-general to divide state into military districts, by general orders, when.
31. Commanding officer to return annually, to selectmen, names of active members of his command, resident in their respective towns.
32. National guard in N. H. governed by federal regulations, when.
33. Armories to be in charge of commissioned officer; military supplies, etc., to be kept therein. Bond of commanding officer.
34. Commissioned officers to provide uniform and equipment. Allowance therefor.

35. Allowance to supply officers; commanding officers and other officers under bond for care of property; regimental commanders; commanding officer of coast artillery; battery and signal corps commanders; company commanders; adjutants and regimental adjutants.
36. Compensation of commissioned and noncommissioned officers, privates, etc., when attending maneuvers.
37. Compensation when ordered out by governor for other duty than maneuvers.
38. Courts-martial; classified; jurisdiction and powers.
39. General courts-martial; how convened; powers.
40. Special courts-martial; how appointed; powers.
41. Summary courts-martial; how appointed; powers.
42. All courts-martial empowered to sentence to confinement in lieu of fine. Limitation of period.
43. Dismissal and dishonorable discharge, invalid unless approved by the governor.
44. Presidents of courts-martial, power to issue warrants for arrest; subpoenas *duces tecum*; attachment for contempt and warrant for collection of fines; and mittimus for carrying out sentence of imprisonment.
45. Commissioned officers may administer oaths in proceedings under this act.
46. Witness fees, and fees for summoning, before courts-martial, same as in superior court. Penalty for non-appearance after summons. Depositions. Accused entitled to state's process for compelling attendance of witness. Employment of stenographer by courts-martial.
47. Courts-martial, officers in attendance, compensation.
48. Members of courts-martial exempt from civil liability, for issuance of any process or mandate; or for judgments rendered.
49. Burden of proof as to jurisdiction of courts-martial.
50. Riots and resisting law, person injured or killed in, by member of national guard engaged in service, latter not responsible civilly or criminally. Exemption from arrest by civil authority of members of national guard while on duty or *en route*.
51. Civil suits, against officer for official act, the defendant entitled to security for costs. Pleas in such cases.
52. Militia, on parade or duty, have preference in use of highways, except as to, what.
53. Commanding officer, jurisdiction over camp grounds.
54. Federal army regulations control as to all matters of national guard of N. H. not herein provided.
55. Privileged communications,—reports and communications of officers and members, to their superiors, not to be used as evidence in civil or criminal proceedings. State to defend action or proceedings growing out of such communications.
56. National guard reserve, established, how recruited.
57. National guard reserve, use of; enlistments not to apply to.
58. Surplus officers of national guard reserve, not to be transferred to national guard reserve. Exceptions.
59. Officers of national guard reserve, appointed to vacancy in active organization, how.
60. National guard reserve, subject to federal regulations.
61. Officers of national guard reserve, placed on retired list, when. Present relieved list not affected.
62. Officers on retired list to serve without pay; withdrawn from command and promotion, but retained on the register, may be detailed for active duty, when.
63. Specific repealing clause; general repeal.
64. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. All male citizens and all male residents of this state who have or shall have declared their intention to become citizens of the United States, between the ages of eighteen and forty-five years, not exempted by law, shall be subject to military duty and designated as the militia.

Military duty,  
who subject to.

Militia classified as the unorganized militia, and the national guard.

Unorganized militia includes whom.

Unorganized militia may be ordered into service by governor, in time of war, invasion, rebellion or riot. Drafting classified and regulated.

SECT. 2. The militia shall be divided into two classes as follows: The unorganized militia and the national guard.

SECT. 3. The unorganized militia shall consist of all male citizens and all male residents of this state who have or shall have declared their intention to become citizens of the United States, between the ages of eighteen and forty-five years, not exempted from military duty as hereinafter provided, and are not members of the national guard.

SECT. 4. In time of war, invasion, rebellion or riot or reasonable apprehension thereof, or upon requisition by the president of the United States, the governor shall order out for active service such portion of the unorganized militia as he may deem necessary. The governor shall apportion any such drafts equitably among the several towns and the order therefor shall be directed to the selectmen of each town or mayor of each city, and they shall appoint a time and place of assembly, and order the unorganized militia of said town to appear thereat, by leaving written or printed notices with each of them or at their usual place of abode, or by publishing a notice thereof in some newspaper printed in said town, or, if no newspaper is printed in said town, in a newspaper which has a circulation in said town; and shall then and there draft such number by lot from such unorganized militia or accept such as may volunteer to enlist for active service under the order of the governor; and shall return to the adjutant-general the names of such persons drafted or enlisted under said order, who shall thereupon be subject to the order of the governor and become part of the national guard, and shall be assigned to such units or organizations of the national guard as the governor shall direct. If the selectmen of any town shall neglect or refuse to comply with such order, the governor shall appoint some proper person to execute the same at the expense of such town, and said person shall make return of his doings to the adjutant-general.

The draft provided by this section shall be made from the classes hereinafter specified in the following order:

First class: Unmarried men of the ages of eighteen to twenty-five years, inclusive.

Second class: Unmarried men of the ages of twenty-six to forty-five years, inclusive.

Third class: Married men of the ages of eighteen to twenty-five years, inclusive.

Fourth class: Married men of the ages of twenty-six to forty-five years, inclusive.

No draft shall be made of any subsequent class until the preceding classes shall have been exhausted.

SECT. 5. Wherever the word town is used in this act it shall mean towns or cities, and wherever the word selectmen is used in this act it shall mean selectmen of towns or mayors of cities.

"Town" defined for purpose of this act.

SECT. 6. The names of male citizens, and all other male residents of this state who have declared their intention to become citizens of the United States, between the ages of eighteen and forty-five years, residing in each town on the first day of April subsequent to the last enrollment, shall annually, between the first day of April and the first day of May following, be enrolled alphabetically in four classes as provided in section 4 of this act, by or under the supervision of the selectmen of the town in which they reside, of which enrollment lists an original and two copies shall be made, one of which copies shall be for the adjutant-general. On such enrollment lists and opposite the name of every person exempt from military duty as hereinafter provided, the selectmen shall write the word Exempt, and opposite the name of every person who is a member of the national guard, the words National Guard, and shall sign such lists and file the same in the office of the town clerk of such town before the fifteenth day of May, and annually, on or before the fifteenth day of May, make report to the adjutant-general of the total number enrolled on their respective lists, the number marked Exempt, the number marked National Guard, the number of the unorganized militia, and shall certify that they believe such lists to be correct. The adjutant-general may call for the original enrollment, showing the names of those exempt and causes of exemption, and satisfy himself of its accuracy. *Provided, however,* that the first enrollment hereunder shall be made and the copies thereof filed in the offices of the town or city clerks and of the adjutant-general on or before thirty days from the passage of this act.

SECT. 7. Whenever the adjutant-general shall be of the opinion that the enrollment lists of any town, required to be made under the provisions of section six hereof, are incorrect, he may, upon not less than five days' notice to one of the selectmen of such town, apply to any judge of the superior court for the appointment of one or more competent persons, residents of such town, to make a new enrollment list of the town, according to law, and said judge may forthwith appoint one or more competent persons, residents of said town, to make a new enrollment list within such time as he shall limit. The person or persons so appointed shall be sworn to the faithful performance of their duties, and shall make such new enrollment list in triplicate within the time limited, and return the same to said judge, and such list, having been approved by said judge, shall be lodged with the town clerk of such town by the persons making the same, and a copy thereof shall forthwith be filed with the adjutant-general. The enrollment list so made out and lodged shall be the enrollment list of such town for the year in which it shall be made. The expense of such new enrollment shall be approved by the judge ordering the same and shall be paid by the town. All blanks required by the provisions of this act shall be prepared and furnished by the adjutant-general.

Annual enrollment of citizens qualified for militia, in towns, to be furnished to adjutant-general.

Incorrect enrollment, jurisdiction of superior court to cause new enrollment.



Exemptions from military service in unorganized militia.

SECT. 8. The following described persons are exempt from military duty as part of the unorganized militia, and exempt from liability to be drafted in accordance with the provisions hereof: All those who possess such physical or mental disabilities as shall be described in general orders issued by the adjutant-general and approved by the governor, printed copies of which approved general orders, specifying such disabilities, shall be sent annually, on or before the first day of February in each year, to the selectmen and town clerk in each town in the state by the adjutant-general; the officers, judicial and executive, of the state of New Hampshire; persons in the service, active or reserved, of the national guard; the warden and deputy warden of the state prison and all those persons who are exempted from military duty under the laws of the United States, but no person so exempted shall be exempted from military service in any capacity that the president of the United States shall declare to be noncombatant.

Penalty for selectman's failure to perform duty imposed by this act. Procedure.

SECT. 9. Every selectman, or other officer performing the duties of selectman, failing to perform the duty of enrolling officer under the provisions of this act, shall be fined not to exceed five hundred dollars. When the adjutant-general shall find, from the returns of the selectmen of any town, that they have not made a true report of the number of persons liable for military duty under the provisions of this act, he shall notify such selectmen by mail that they have failed to make such report; and if they shall not make true report of the number of such persons, as nearly as the same may be ascertained, within twenty days after such notice, he shall notify the county solicitor in the county in which such selectmen, or other officer or officers performing the duties of selectmen, reside, who shall prosecute for such offense.

Penalty for refusing information for enrollment. Enrolling officers may administer oaths.

SECT. 10. Every person knowingly and wilfully refusing information to any selectman or other person making such enrollment respecting any reason for exemption of himself or of his son, or ward, or person in his employ or boarding with him, shall be fined twenty dollars. In case of doubt as to exemption from military duty, the burden of proving such exemption and the expense thereof shall be on the person claiming it; and all enrolling officers may require the person examined by them to testify under oath, and may administer such oath.

Examining surgeons, how appointed; duties. Penalty for refusing to act.

SECT. 11. The governor shall appoint examining surgeons, removable at his pleasure, and make regulations as to fees and procedure to determine exemptions from military duty for physical and mental disabilities as prescribed in general orders; and the officers of the medical corps of the national guard shall be appointed for such duty in their respective towns. If any person shall neglect or refuse to perform the duties imposed by this section he shall be fined not exceeding one hundred dollars.

SECT. 12. The governor shall be commander-in-chief of the un-organized militia and of the national guard, except when it is called into the actual service of the United States, and may employ it or any part of it, for the defense or relief of the state or any part of its inhabitants, or territory; shall make and publish regulations for the organization and government of the national guard, in accordance with the laws of the state or of the United States, and shall have all the powers necessary to carry into full effect the provisions of this act.

Governor to be  
commander-in-  
chief of unorgan-  
ized militia and  
national guard.  
Powers.

SECT. 13. The staff of the governor shall be appointed by him and shall consist of the adjutant-general, with the rank of brigadier-general, who shall be chief of staff, and after the first Wednesday in January, 1919, eight aides-de-camp, four of whom shall be detailed from the national guard, shall retain their existing rank and shall remain subject to duty except as their services may be required by the governor as members of his staff. The remaining four may be appointed from officers or ex-officers of the United States army, or of the national guard, or from civil life. Officers detailed from the national guard shall not be exempt from performing the duties required of them as officers of the national guard. If said aides-de-camp are appointed other than from the national guard, they shall have the rank of major, shall hold office during the pleasure and not exceeding the term of office of the governor, and shall not thereby be exempted from military duties under the terms of this act. The adjutant-general shall be appointed by the governor, shall serve during his pleasure, and his commission shall expire with the term of office of the governor by whom he is appointed.

Governor's staff,  
who qualified for.

SECT. 14. The adjutant-general shall issue all orders of the governor to the national guard and unorganized militia, and shall make such returns and reports as are required, including an annual report to the governor on the condition of the national guard, and such other matters relating to the militia as he may deem expedient, and shall perform such other duties as are required of an adjutant-general, and in addition thereto, he shall be the custodian of all state armories, target ranges and arsenals and other state military property, and shall be charged with the procuring of all supplies and transportation, at the expense of the state, and the payment of troops when ordered out by the governor, or with his approval. The adjutant-general may detail such officers of the adjutant-general's department or quartermaster's department, active or retired, as may be necessary for the proper performance of these duties and may employ such clerks and assistants, in addition to those whose compensation is fixed by statute, as may be necessary to conduct the business of his department and the quartermaster's department, at a total expense not exceeding the amount to be fixed by the governor and council from the biennial national

Adjutant-general,  
powers and duties.  
Bond of. Account  
of expenditures,  
etc.; how audited.

guard appropriations, and no expenditures shall be made in any military department of the state without the approval of the adjutant-general. In those places where armories and ranges are not owned by the state the adjutant-general shall, with the approval of the governor and council, rent suitable armories and ranges for such terms as he may deem proper. The adjutant-general shall give bond, with a proper surety company as surety, in the sum of five thousand dollars, conditioned for the faithful discharge of his official duties. Said bond shall be filed in the office of the secretary of the state. The premium of said bond shall be paid from the national guard appropriation. The adjutant-general shall annually submit to the governor and council at some session between the first days of September and October a correct statement of his disbursements for the preceding year ending August 31 with vouchers therefor and the same shall be audited and adjusted as may be directed by them. The accounts and vouchers so audited, if allowed, shall be deposited and kept on file in the office of the adjutant-general. When his account has been so submitted and audited he shall receive a certificate from the governor to that effect.

National guard,  
number of enlisted  
men, in times of  
peace.

SECT. 15. In time of peace the number of enlisted men of the national guard shall be not less than the minimum required by the laws of the United States, and the required number of officers.

National guard,  
organization,  
equipment and  
training, to accord  
with national  
regulations.  
Governor may  
increase force in  
times of war, etc.

SECT. 16. The national guard shall be organized, uniformed, equipped, trained and disciplined as required by the laws and regulations of the United States relating to the national guard. The various organizations and units of the national guard shall be located throughout the state with reference to the military wants thereof, means of concentration and other military requirements. The governor may, in case of war, invasion, insurrection, riot, or imminent danger thereof, increase said force and organize the same according to the constitution and laws of the United States and of this state.

National guard  
qualifications for  
and period of  
enlistment.

SECT. 17. The period of enlistment in the national guard shall be as prescribed by the laws of the United States relating to the national guard, and the qualifications for enlistment shall be the same as those prescribed for admission to the United States army, *provided* the privilege of continuing in active service during the whole of an enlistment period and of re-enlisting in said service shall not be denied by reason of anything contained in the act of Congress relating to the national defense approved June 3, 1916.

National guard  
officers, qualifica-  
tions of, to accord  
with federal  
regulations.

SECT. 18. Only such officers shall be appointed and commissioned as officers of the national guard as have successfully passed such tests and examinations as to physical, moral and professional fitness as shall be prescribed by the laws and regulations of the United States relating to the qualifications of national guard officers and all officers shall be appointed, commissioned and promoted



in the manner provided by such laws and regulations. All officers, including staff officers, hereafter appointed under the provisions of this act shall hold their positions until they shall have reached the age of sixty-four years unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court-martial legally convened for that purpose. Vacancies among staff officers, including officers of the pay, inspection, subsistence and medical departments, shall be filled by appointment from the officers of the militia of the state.

SECT. 19. At any time the moral character, capacity and general fitness for the service of any national guard officer may be determined by an efficiency board of three commissioned officers, senior in rank to the officer whose fitness for service shall be under investigation, and if the findings of such board be unfavorable to such officer and be approved by the governor, he shall be discharged. Commissions of officers may be vacated upon resignation, or absence without leave for three months, or upon the recommendation of an efficiency board or pursuant to sentence of a court-martial.

SECT. 20. Every person who shall have served the prescribed period of enlistment in the national guard shall, after the expiration of said period of enlistment, be thereby entitled to an honorable discharge, exempting him from military duty thereafter, except in case of war, invasion, rebellion, riot, or reasonable apprehension thereof, but this section shall not apply to any person against whom military charges are pending. No person shall be dishonorably discharged from the national guard except upon the sentence of a general or special court-martial. No resignation, removal or discharge shall in any way affect the liability of any person for public property in his possession or for which he is responsible, or for fines or dues, due the organization to which such person belongs, or for fines for non-performance of military duty legally imposed.

SECT. 21. In case of riot or civil commotion in any place in this state, any officer whose duty it is to enforce the civil authority at any such place may, if he considers that the force at his disposal is not sufficient, inform the governor or acting governor, who may order out such portion of the national guard as he thinks proper for such duty as he deems necessary.

SECT. 22. The national guard may parade for drill, escort duty or any special service as ordered by the governor, and shall participate in encampments, maneuvers or other exercises, including outdoor target practice, as may be required by the laws and regulations of the United States relating to the national guard, or as may be ordered by the governor.

SECT. 23. The officer commanding troops to be encamped may contract for the use of the land required for a camp of instruction, maneuvers or practice march, at a reasonable rent.

National guard officers, removed how.

Discharge; honorable and dishonorable, from national guard; effect of.

Governor empowered to order out national guard in case of riot or civil commotion.

National guard may do escort duty or special service, on orders from governor; and shall participate in encampments, etc., in accordance with federal regulations.

Commanding officer may contract for use of land for maneuvers, at agreed price.



Rent, disagreement as to, determined by the county commissioners. Procedure.

SECT. 24. Upon petition of the owner of the land so occupied, when the amount of such rent is not agreed upon, to the county commissioners, and hearing thereon, fourteen days' notice of which hearing shall be given to the adjutant-general, they shall assess the damages occasioned by such occupation and make return thereof to the adjutant-general; and the amount so assessed with costs shall be paid from the state treasury.

Appeal from award of commissioners to superior court. Trial by jury.

SECT. 25. If the owner or the adjutant-general is dissatisfied with the damages assessed, he may, at any time within thirty days from such return to the adjutant-general, apply by petition to the superior court at the next trial term thereof in the county where the land lies, for an assessment of his damages by a jury; and like proceedings shall be had thereon, so far as the same are applicable, as in the case of damages for land taken for a highway.

Encampment and inspections, how warned by commander.

SECT. 26. When a company is to be paraded for encampment or inspection, the commander shall issue his orders to one or more of the noncommissioned officers, not exceeding two, of his company, requiring them to warn the officers and enlisted men whose names are inserted or annexed to the order to appear at the time and place appointed to parade; except that in case of tumult, riot, invasion, or insurrection the commander shall issue his orders to one or more noncommissioned officers, as he may deem sufficient, and the reading of such order in the presence of the persons to be warned by said noncommissioned officer shall be deemed sufficient notice thereof.

Same, warning by noncommissioned officer.

SECT. 27. Such noncommissioned officer shall warn every person whose name is so inserted, except as provided in the preceding section, by delivering to him in person, or mailing to his last known address, or leaving at his abode, the written order at least four days previous to the time of parade. They shall receive one dollar each for making such service. The noncommissioned officers, delivering such warning shall, at least four days previous to such a parade, make a return thereof containing the names of the persons warned and the time, place, and manner of warning.

National guard to assemble for drill, in accordance with federal regulation, or on orders from the governor.

SECT. 28. Each company, troop, battery and detachment in the national guard shall assemble for drill and instruction, including indoor target practice, as shall be required by the laws and regulations of the United States relating to the national guard or as may be ordered by the governor.

Draft for national guard, in time of peace, regulated.

SECT. 29. If in time of peace any company, troop, battery or detachment of the national guard shall have failed by voluntary enlistment to obtain the minimum strength required by the laws of the United States, the commanding officer of such company, troop, battery or detachment shall report to the adjutant-general the number of enlisted men required, and, in addition, a number equal to the loss expected during the succeeding three months, of enlisted men whose terms of active service expire during that period

and who have signified their intention of not continuing in active service or re-enlisting. The adjutant-general shall upon receipt of such report inform the governor of the facts and the governor shall then draft from the unorganized militia of the districts, or such portion thereof as he shall designate for that purpose, in which such company, troop, battery or detachment is located, the number of men required to maintain such minimum strength and in addition such number as he may deem necessary to allow for possible rejections. Such draft shall be made by order directed to the selectmen of towns in such district, who shall within five days transmit to the adjutant-general four lists, one containing the names of all persons on the roll of the unorganized militia in such towns or cities of the ages of eighteen to twenty-five years, inclusive, who are unmarried; the second containing the names of all persons on the roll of the unorganized militia in such towns or cities of the ages of twenty-six to forty-five years, inclusive, who are unmarried; the third containing the names of all persons on the roll of the unorganized militia in such towns or cities of the ages of eighteen to twenty-five years, inclusive, who are married; and the fourth containing the names of all persons on the roll of the unorganized militia in such towns or cities of the ages of twenty-six to forty-five years, inclusive, who are married. The adjutant-general, or some officer detailed by him shall prepare slips upon which shall be placed the names of all persons on the first list and within five days after the receipt of such list, the adjutant-general or some officer detailed by him shall, in the presence of one of the selectmen or some other officer of such town, place such slips in a box and draw therefrom the number required by said draft. Should the number contained in said first class be insufficient, then draft shall be made in like manner from the succeeding classes successively for the purpose of supplying such insufficiency. All men whose names are so drawn shall be ordered by the adjutant-general to report to the commanding officer of such company, troop, battery or detachment, at a certain time and place, and submit to the necessary physical examination. Such order shall be in writing, and a copy thereof shall be served upon each man so drafted, by an officer or noncommissioned officer of the national guard designated by the adjutant-general, at least six days before the time designated for reporting to such commanding officer. From those who have passed such physical examination, a sufficient number of names shall be selected to fill all vacancies existing or expected at the date of draft, the method of selection being the same as hereinbefore provided, except that the adjutant-general shall be represented by the commanding officer of the company, troop, battery or detachment concerned and the drawing shall be made in the presence of those present subject to draft. All men so selected who do not volunteer to enlist shall thereupon be enrolled as members of the national guard.

Any person so drafted and ordered to report as hereinbefore provided, who, having been personally served with a copy of said order, shall fail to appear at the time and place designated by said order or who shall fail to present to such commanding officer a sworn certificate from a physician in good standing, of physical disability, shall be fined not less than ten nor more than fifty dollars for each day he shall fail to appear. The courts of this state shall have jurisdiction of all prosecutions under the provisions of this section.

Adjutant-general to divide state into military districts, by general orders, when.

SECT. 30. The adjutant-general shall, within thirty days after the passage of this act, divide the state into such number of districts as in his judgment may be proper. Such divisions shall be embodied in a general order, copy of which shall be mailed to the selectmen throughout the state and to all officers of the national guard. Such districts may from time to time, as occasion requires, be modified by the adjutant-general, but in the event of such modification like notice shall be embodied in a general order and mailed to the persons and officers aforesaid.

Commanding officer to return annually, to selectmen, names of active members of his command, resident in their respective towns.

SECT. 31. The commanding officer of each organization of the national guard shall, annually, on the thirty-first day of March, make a certified return of the names of the active members of his command who have performed the duty required by law, to the selectmen of the town in which such members reside.

National guard in N. H. governed by federal regulations, when.

SECT. 32. Unless otherwise expressly provided the national guard in this state shall be governed by the laws, rules and regulations of the United States for governing the national guard, *provided* the national guard in this state shall receive aid and support from the United States, and in the event that such aid or support shall be withdrawn or in the event that the Congress of the United States shall repeal all legislation relating to the national guard, leaving to the various states the duty to provide for and maintain, without federal aid or control, their own military forces, then the national guard of this state shall be organized, trained, disciplined and governed, its officers shall be appointed, commissioned and promoted and its enlisted men shall be enlisted and discharged in such manner as may be prescribed by the adjutant-general in regulations and general orders approved by the governor, until the general court shall make provision therefor.

Armories to be in charge of commissioned officer; military supplies, etc., to be kept therein. Bond of commanding officer.

SECT. 33. Every armory shall be under the charge of a commissioned officer, designated by the adjutant-general; and therein shall be kept all property furnished to any command quartered therein, and the commanding officer of every such command shall be responsible for such property, and shall execute such bonds therefor as the adjutant-general, from time to time, shall require, the premium of such bonds to be paid by the adjutant-general; and no command shall be so furnished until such bonds shall be



executed and approved by the adjutant-general, nor until a suitable armory shall be selected for the deposit of such property.

SECT. 34. Every commissioned officer of the national guard shall provide himself with a complete uniform and equipment; and every officer so uniformed and equipped and in the service on the first day of June in each year shall be then paid by the adjutant-general, the sum of twenty-five dollars.

SECT. 35. The supply officer of each regiment of infantry, and the commanding officer of each company of cavalry, signal corps, coast artillery, infantry, sanitary detachment, ambulance company and field hospital company bonded for the care of United States and state property, shall be allowed fifty dollars a year, the commanding officer of each field battery seventy-five dollars per year, and each other officer under bonds for the care of United States and state property, twenty-five dollars a year, as compensation for the care of such property, to be paid by the adjutant-general on or before the first day of June in each year, or as soon thereafter as possible, *provided* all United States and state property is found on hand and in satisfactory condition at the federal inspection of that year, deducting the value of such property not satisfactorily accounted for. The commanders of the several organizations shall receive an annual allowance for printing, postage and stationery, as follows: Regimental commanders, seventy-five dollars; the commanding officer of the coast artillery corps, fifty dollars; battery and signal corps commanders, and each company commander, ten dollars. There shall be paid to each regimental adjutant for clerical services, the sum of forty dollars per annum and to each adjutant of a separate battalion the sum of twenty dollars per annum to be paid on the first day of June of each year.

SECT. 36. For each day's service in complete uniform, when ordered out by the governor for manuevers, field exercise or target practice, not exceeding fifteen days in each year, and after said period the pay of their grade in the United States army; each commissioned officer shall be paid at the same rate, base pay, as an officer of like grade in the army of the United States; to each band leader, three dollars and fifty cents; to each noncommissioned staff officer, first sergeant, company supply sergeant, and company mess sergeant, two dollars and fifty cents; to all other sergeants, two dollars and twenty-five cents; to corporals, two dollars and ten cents; to company cooks, three dollars; and to all other enlisted men, two dollars per day; *provided, however*, that there shall be deducted from the foregoing pay the amount of the ration and all pay received from the federal government while on such duty. There shall be paid to each company clerk, the sum of twenty-five dollars per year and to each field battery supply sergeant the sum of one hundred and eighty dollars per year; to each troop sup-

Commissioned officers to provide uniform and equipment. Allowance therefor.

Allowance to supply officers; commanding officers and other officers under bond for care of property; regimental commanders; commanding officer of coast artillery; battery and signal corps commanders; company commanders; adjutants and regimental adjutants.

Compensation of commissioned and noncommissioned officers, privates, etc., when attending manuevers.



ply sergeant and each signal company supply sergeant the sum of seventy-five dollars per year and to all other company supply sergeants the sum of fifty dollars per year to be paid in equal quarterly payments.

Compensation when ordered out by governor for other duty than maneuvers.

SECT. 37. In the event that the national guard shall be ordered out by the governor for duty other than in the last preceding section, except for the annual federal inspection, the pay for attendance at which shall be fifty cents for each officer and enlisted man, there shall be paid to each commissioned officer and enlisted man the same base pay as in the last preceding section, except that the limitation of service of fifteen days shall not apply to such other duty, and *provided*, that there shall be deducted from such pay the actual cost of rations furnished during such service. The adjutant-general is authorized to furnish such mounts and forage therefor as may be required.

Courts-martial; classified; jurisdiction and powers.

SECT. 38. Courts-martial in the national guard shall be of three kinds, namely, general courts-martial, special courts-martial, and summary courts-martial. They shall be constituted in the same manner, have cognizance of the same subjects and possess the same powers, except as to punishments, as similar courts provided for by the laws and regulations governing the army of the United States, and the proceedings of courts-martial of the national guard shall follow the forms and modes of procedure prescribed for said similar courts.

General courts-martial; how convened; powers.

SECT. 39. General courts-martial may be convened by orders of the president of the United States or of the governor, and such courts shall have power to impose fines not exceeding two hundred dollars; to sentence to forfeiture of pay and allowances; to a reprimand; to dismissal or dishonorable discharge from the service; to reduction of noncommissioned officers to the ranks; or any two or more of such punishments may be combined in the sentence imposed by such courts.

Special courts-martial; how appointed; powers.

SECT. 40. The commanding officer of each post, camp or other place, brigade, regiment, detached battalion or other detached command, may appoint special courts-martial for his command; but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable. Special courts-martial shall have the power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the United States, and such special courts-martial shall have the same powers of punishment as general courts-martial, except that fines imposed by such courts shall not exceed one hundred dollars.

Summary courts-martial; how appointed; powers.

SECT. 41. The commanding officer of each camp or other place, regiment or corps, detached battalion, company or other detachment of the national guard may appoint for such place or command a summary court to consist of one officer who shall have power to

administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of laws governing such organizations; and said court, when satisfied of the guilt of such soldier, may impose fines not exceeding twenty-five dollars for any single offense; may sentence noncommissioned officers to reduction to the ranks; may sentence to forfeiture of pay and allowances. The proceedings of such courts shall be informal, and the minutes thereof shall be the same as prescribed for summary courts of the army of the United States.

SECT. 42. All courts-martial of the national guard, including summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed, *provided* such sentences of confinement shall not exceed one day for each dollar of fine authorized.

All courts-martial empowered to sentence to confinement in lieu of fine. Limitation of period.

SECT. 43. No sentence of dismissal from the service or dishonorable discharge imposed by a national guard court-martial, shall be executed until approved by the governor.

Dismissal and dishonorable discharge, invalid unless approved by the governor.

SECT. 44. Presidents of courts-martial and summary court officers shall have power to issue warrants to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoenas and subpoena *duces tecum* and to enforce by attachment attendance of witnesses and the production of books and papers, and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts. The fines imposed by sentence of a court-martial or summary court shall be for the use of the state, and shall be collected by a warrant under the hand of the president or summary court officer, directed to a sheriff or other proper officer or indifferent person who shall collect them, with lawful costs, as on executions issued in actions founded upon a tort, and pay them to the state treasurer, except the costs of collections; and in all cases in which a fine and costs shall be imposed by a general or special court-martial, and the sentence of such court shall be approved, and its president shall die, or be discharged or promoted, without having issued a warrant for such fine or costs, the member of such court remaining next in rank to him shall issue such warrant. When imprisonment is imposed by a sentence of a general or special court-martial, a mittimus shall be signed by the president of the court and addressed to a sheriff or other proper officer; and in all cases, if the sentence of such court shall be approved and its president shall die, or be discharged or promoted, without having issued the mittimus for such confinement, the member of such court remaining next in rank to him shall issue such mittimus. Mittimus for imprisonment in a jail, under the provisions of this act, may be in the form prescribed by the adjutant-general.

Presidents of courts-martial, power to issue warrants for arrest; subpoenas *duces tecum*; attachment for contempt and warrant for collection of fines; and mittimus for carrying out sentence of imprisonment.

Commissioned officers may administer oaths in proceedings under this act.

Witness fees, and fees for summoning, before courts-martial, same as in superior court. Penalty for non-appearance after summons. Depositions. Accused entitled to states process for compelling attendance of witness. Employment of stenographer by courts-martial.

Courts-martial, officers in attendance, compensation.

Members of courts-martial exempt from civil liability for issuance of any process or mandate; or for judgments rendered.

Burden of proof as to jurisdiction of courts-martial.

Riots and resisting law, person injured or killed in, by member of national guard engaged in service, latter not responsible civilly or criminally. Exemption from arrest by civil authority of members of national guard while on duty or *en route*.

Civil suits, against officer for official act, the defendant entitled to security for costs. Pleas in such cases.

SECT. 45. Any commissioned officer is hereby qualified to administer the oaths required in this chapter.

SECT. 46. Witnesses may be summoned before courts-martial and they and the person serving the summonses shall receive the fees prescribed in the superior court. Witnesses shall be subject to the penalties for non-appearance that are prescribed in the case of witnesses before said superior court, and depositions taken according to law may be used. The accused shall be entitled to subpoenas for witnesses in his behalf whose fees shall be paid by the state. The president of the court is authorized at his discretion, in any case, to employ a stenographer to report the proceedings of said court, pay of whom shall be the same as those of stenographers employed in the superior court.

SECT. 47. Officers in attendance at courts-martial, or as members of any board, or on any other special duty directed by the adjutant-general for which provision is not otherwise made, shall receive four dollars per day and their actual expenses. Such expenses shall be audited by, and vouchers therefor submitted to, the adjutant-general.

SECT. 48. No action or proceeding shall be prosecuted or maintained against a member of a military court, or officer or person acting under its authority or reviewing its proceedings, on account of the approval or imposition or execution of any sentence, or the imposition or collection of a fine or penalty, or the execution of any warrant, writ, process, or mandate of a military court.

SECT. 49. The jurisdiction of the courts and boards established by this chapter shall be presumed, and the burden of proof shall rest on any person seeking to oust such courts or boards of jurisdiction in any action or proceeding.

SECT. 50. If any person or persons resisting the laws of the state or unlawfully or riotously assembled, shall be injured or killed by any of the national guard called out for service in such cases, every member of the national guard so called out shall be discharged from all civil or criminal liability therefor. All active members of the national guard shall, except for treason, felony, and breach of the peace, be privileged from arrest and imprisonment by civil authority while under orders in the active service of the state, from the date of the issuing of such orders to the time when such service shall cease, or while going to, remaining at, or returning from any place at which he may be required to attend military duty.

SECT. 51. When a suit or proceeding shall be commenced in any court by any person against any officer of the militia for any act done by such officer in his official capacity in the discharge of any duty under this chapter, or against any person acting under the authority or order of any such officer, or by virtue of any warrant issued by him pursuant to law, the defendant may require the per-



son prosecuting or instituting the suit or proceeding to file security for the payment of costs that may be awarded to the defendant therein, and the defendant in all cases may make a general denial and give the special matter in evidence.

SECT. 52. The commanding officer of any portion of the active militia, parading or performing any military duty in any street or highway, may require any or all persons in such street or highway to yield the right of way to such militia, *provided* the carriage of the United States mail, the legitimate functions of the police, and the progress and operations of the hospital ambulances and fire engines and fire departments shall not be interfered with thereby. All others who shall hinder, delay, or obstruct any portion of the active militia wherever parading or performing any military duty, or who shall attempt so to do, shall be guilty of a misdemeanor.

SECT. 53. The commanding officer upon any occasion of duty may place in arrest during the continuance thereof any person who shall trespass upon the camp ground, parade ground, armory, or other place devoted to such duty, or shall in any way or manner interrupt or molest the orderly discharge of duty by those under arms, or shall disturb or prevent the passage of troops going to or returning from duty. He may prohibit and prevent the sale of all spirituous liquors, wine, ale, or beer, the holding of huckster or auction sales and all gambling within the limits of the post, camp ground, place of encampment, parade or drill under his command, or within such limits, not exceeding one mile therefrom, as he may prescribe. And he may, in his discretion, abate as common nuisances all such sales.

SECT. 54. All matters relating to the organization, discipline, and government of the National Guard of New Hampshire, not otherwise provided for in this chapter or in the general regulations, shall be decided by the custom and usage of the United States army.

SECT. 55. The reports and communications of all officers and members of the national guard in the line of their military duty addressed to their superiors shall be privileged communications and shall not be competent evidence against the writer in any civil or criminal action in the courts of this state, and in case any action shall be brought against any officer or member of the national guard because of such reports or communications, it shall be the duty of the judge advocate or the attorney-general, or both of them, at the direction of the governor, to appear in behalf of said officer or member of the national guard and defend said action without cost to him.

SECT. 56. There shall be a national guard reserve which shall consist of such officers and enlisted men as have been transferred and furloughed, respectively, from the active organizations of the national guard.

Militia, on parade or duty, have preference in use of highways, except as to, what.

Commanding officer, jurisdiction over camp grounds.

Federal army regulations control as to all matters of national guard of N. H. not herein provided.

Privileged communications, reports and communications of officers and members, to their superiors, not to be used as evidence in civil or criminal proceedings. State to defend action or proceedings growing out of such communications.

National guard reserve, established, how recruited.



National guard reserve, use of; enlistments not to apply to.

Surplus officers of national guard reserve, not to be transferred to national guard reserve. Exceptions.

Officers of national guard reserve, appointed to vacancy in active organization, how.

National guard reserve, subject to federal regulations.

Officers of national guard reserve, placed on retired list, when. Present relieved list not affected.

Officers on retired list to serve without pay; withdrawn from command and promotion, but retained on the register, may be detailed for active duty, when.

Specific repealing clause; general repeal.

Takes effect on passage.

SECT. 57. Except in time of war, the national guard reserve shall not be organized into tactical or other units, except for temporary purposes during field or coast defense training, and enlistments shall not be made for the national guard reserve.

SECT. 58. Officers of the national guard rendered surplus by the disbandment of their organizations, if not assigned to active organizations, shall be transferred to the national guard reserve. Except in time of war, officers may, upon their own application, be transferred to the national guard reserve, after completing three years' service with an active organization. Officers of less than three years' service with an active organization shall not be transferred to the national guard reserve, except in cases where the active organizations to which they belong have been disbanded.

SECT. 59. Officers of the national guard reserve may, upon their own request and in the discretion of the governor, or by order of the governor, be appointed to vacancies in the active organizations with the rank held by them as reserve officers.

SECT. 60. All the officers and enlisted men of the national guard reserve shall be subject to the laws, rules and regulations of the United States relating to the national guard reserve so long as such laws, rules and regulations remain in force and so long as the national guard of this state receives aid and support from the United States, and they shall, at all times, be subject to the regulations governing national guard reserve approved by the governor.

SECT. 61. When an officer of the New Hampshire National Guard, in good standing, has served ten years as officer and soldier, active or reserve, or both, of which he shall have served not less than three years as a commissioned officer, he may, if he make application therefor to the governor, be retired from active service and placed upon the retired list. Officers now upon the retired list of the New Hampshire National Guard are retained thereon and shall not be affected by this act.

SECT. 62. Officers on the retired list shall serve thereon without pay; they shall be withdrawn from command and from line of promotion; they shall continue to be borne on the register of the military forces of the state, and shall be entitled to wear the uniform of the rank on which they may be retired. They may, with their consent, be detailed from the retired list and placed upon active duty at any time when ordered by the governor, and when on such duty they shall be entitled to the pay and allowances of officers of a similar grade on the active list.

SECT. 63. Chapter 102 of the session Laws of 1909, chapters 90 and 119 of the session Laws of 1911, chapters 34, 35 and 209 of the session Laws of 1913, chapters 16 and 43 of the session Laws of 1915 and all other acts and parts of acts inconsistent herewith are hereby repealed.

SECT. 64. This act shall take effect upon its passage.

[Approved April 5, 1917.]

## CHAPTER 124.

AN ACT IN AMENDMENT OF SECTIONS 4 AND 5 OF CHAPTER 65 OF THE PUBLIC STATUTES AND ALL AMENDMENTS THEREOF AND RELATING TO THE TAXATION OF SAVINGS BANKS.

## SECTION

1. Banks, companies, and associations to file with state treasurer, annually, on or before May 1, statement of deposits, etc.

## SECTION

2. Every such corporation, except building and loan associations, to pay annual state tax on October 1 of  $\frac{3}{4}$  of 1% on certain assets; and 1% on others.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 4, chapter 65 of the Public Statutes, as amended by section 1, chapter 108, Laws of 1895, section 1, chapter 82, Laws of 1901, section 1, chapter 102, Laws of 1907, section 1, chapter 112, Laws of 1913, and section 1, chapter 83, Laws of 1915, by striking out the entire section and inserting in place thereof a new section to read as follows: SECT. 4. The treasurer of every savings bank, trust company, loan and trust company, loan and banking company, building and loan association and other similar corporation organized under the laws of this state shall, on or before the first day of May in each year, transmit to the state treasurer, upon blanks to be furnished by him, a statement, under oath, of the following facts as they existed on the first day of April in such year:

The amount of all savings and special deposits on which the corporation pays interest and of its capital stock belonging to residents of each town in the state, including all dividends that have been declared thereon and not paid; the value of the interest of such residents in all the real estate of the corporation wherever situated, and all the loans of the corporation secured by mortgage upon real estate situated in this state, made at a rate not exceeding five per cent. per annum, and the amount invested in the bonds and notes of this state or any of the counties, municipalities, school districts and village precincts of this state, *provided* such bonds and notes bear interest at a rate not exceeding five per cent. per annum, and the amount invested in United States bonds, and in the bonds issued under the provisions of the federal farm loan act, if it were divided proportionately among all depositors of the corporation; the difference between the two sums for each town; and the same facts in relation to depositors and stockholders who do not reside in the state or whose residence is unknown.

SECT. 2. Amend section 5, chapter 65 of the Public Statutes, as inserted by section 2, chapter 194, Laws of 1911, and amended by section 1, chapter 112, Laws of 1913, and by section 1, chapter 83, Every such corporation, except building and loan associations, to pay annual state

tax on October 1  
of  $\frac{3}{4}$  of 1% on  
certain assets;  
and 1% on others.

Laws of 1915, by striking out the entire section and inserting in place thereof a new section to read as follows: SECT. 5. Every such corporation, except building and loan associations, organized under the provisions of the Public Statutes, shall pay to the state treasurer annually, on the first day of October, an excise tax for the privilege of conducting the business of a savings bank or other such corporation, equal in amount to three-fourths of one per cent. upon the amount of the savings deposits on which it pays interest, after deducting the value of all its real estate wherever situated and the value of all its loans secured by mortgage upon real estate situated in this state made at a rate not exceeding five per cent. per annum; and the amount invested in bonds or notes of this state or any of the counties, municipalities, school districts or village precincts of this state, *provided* such bonds and notes bear interest at a rate not exceeding five per cent. per annum, and the amount invested in United States bonds and in the bonds issued under the provisions of the federal farm loan act; and every guaranty savings bank, trust company, loan and trust company, loan and banking company, and all other similar corporations, except building and loan associations, shall in addition pay a further excise tax for the privilege of conducting such business, equal in amount to one per cent. annually upon its special deposits or capital stock, after deducting the value of all real estate owned by the corporation and not already deducted from the amount of its general deposits as hereinbefore provided.

[Approved April 10, 1917.]

CHAPTER 125.

AN ACT RELATING TO HARVESTING ICE ON PUBLIC WATERS.

SECTION

- 1. Markers to be maintained over area to be cut.
- 2. Act not to apply to ponds or areas set off by the fish and game commissioner.

SECTION

- 3. Penalty.
- 4. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Markers to be  
maintained over  
area to be cut.

SECTION 1. That hereafter any person or corporation harvesting ice upon any of the public waters of this state shall mark with suitable markers the area from which ice is to be taken at beginning of harvest, and shall maintain such markers as long as any danger exists.

SECT. 2. This act shall not apply to ponds closed or areas set off by order of the fish and game commission under authority of chapter 74, Laws of 1909, and amendments thereto.

Act not to apply to ponds or areas set off by the fish and game commissioner.

SECT. 3. Any person or any agent of any firm, company or corporation violating the provisions of this act shall be fined one hundred dollars for each offense, or be imprisoned not exceeding ninety days, or both.

Penalty.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved April 10, 1917.]

## CHAPTER 126.

### AN ACT TO PREVENT THE POLLUTION OF THE ELLIS AND WILDCAT RIVERS AND THEIR TRIBUTARIES.

#### SECTION

1. Local boards of health in towns on Ellis and Wildcat rivers to prevent pollution by sewage.

#### SECTION

2. Penalty.
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. It shall be the duty of the local boards of health to inspect the cesspools or other systems of sewage at least once each year, and if any such cesspools or other systems of sewage be deemed by said boards of health to pollute or contaminate the waters of the Ellis or Wildcat rivers, or their tributaries, in such manner as to affect their purity for domestic purposes, the said boards of health shall cause the owners of such cesspools or other systems of sewage so deemed to pollute or contaminate said waters to alter or construct the same under the supervision and in accordance with the regulations of the state board of health.

Local boards of health in towns on Ellis and Wildcat rivers to prevent pollution by sewage.

SECT. 2. Whoever violates any of the provisions of this act shall be deemed to be guilty of a misdemeanor, and shall be punished by a fine of not more than one hundred (100) dollars, or by imprisonment not exceeding one month.

Penalty.

SECT. 3. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 10, 1917.]



CHAPTER 127.

AN ACT TO PROVIDE FOR THE REGISTRATION OF PUBLIC ACCOUNTANTS.

SECTION

1. Bank commissioners to register and certify public accountants.
2. Examinations, regulation of.
3. Candidates passing examination to be certified. No one not certified to use the title.
4. Certificate as "Public accountant for banks," how obtained; such come within sec. 20, ch. 165, P. S.

SECTION

5. Revocation or suspension of certificate, regulated.
6. Certified accountant practicing as such in another state for three years, may be certified here without examination, in the discretion of the commissioners.
7. Expenses incurred to be paid from fees received under this act.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Bank commissioners to register and certify public accountants.

SECTION 1. The bank commissioners shall have charge of the registration of public accountants, shall make such rules as are necessary to carry out the provisions of this act, and shall keep a record of all certificates issued thereunder, a duplicate of which shall be open to inspection in the office of the secretary of state.

Examinations, regulation of.

SECT. 2. Examinations shall be held as often as may be deemed necessary in the judgment of said commissioners, but not less frequently than once in each year if there be applicants. Said examinations shall be given by one or more examiners appointed by said commissioners, and such examiner shall be skilled in the art of accounting and shall have previously been engaged in the practice of public accounting. Said examinations shall include the subjects of theory of accounts, practical accounting, auditing, commercial law as affecting accountancy, and such other subjects as said commissioners may deem necessary. Said examinations shall be open to any citizen of the United States, or person who has in good faith declared his intention of becoming such citizen, being over the age of twenty-one years, of good moral character, who shall have a general education equivalent to a public high school course of recognized good standing, who shall have had at least four years' accounting experience or instruction, who shall have paid to said commissioners a fee of fifteen (15) dollars. If the applicant fails to pass the examination, he shall, without an additional fee, be entitled to take another examination at any time at which there are other applicants to be examined.

Candidates passing examination to be certified. No one not certified to use the title.

SECT. 3. Any such person who shall have successfully passed said examination shall be registered as a public accountant and shall receive a certificate thereof. Any persons registered under the provisions of this act shall be entitled to style themselves certified public accountants, and no other person shall assume such title or use any abbreviation thereof, or any other words, letters or ab-

brevisions to indicate that the person so using the same is a certified public accountant registered under the provisions of this act.

SECT. 4. Any applicant for examination under this act may elect to be examined in such of said subjects as relate to savings banks and trust companies. Upon passing such examination successfully he shall be registered as a public accountant for banks and shall receive a certificate thereof. Any persons registered under the provisions of this section shall be entitled to style themselves certified public accountants for banks; and no other person shall assume such title or use any abbreviation thereof, or any other words, letters or abbreviations to indicate that the person so using the same is a certified public accountant for banks registered under the provisions of this act. Such accountants shall be deemed certified public accountants within the meaning of section 20 of chapter 165 of the Public Statutes and amendments thereof.

Certificate as  
"Public account-  
ant for banks,"  
how obtained;  
such come within  
sec. 20, ch. 165,  
P. S.

SECT. 5. Said commissioners shall have power, after notice and hearing, to suspend or revoke for good cause any certificate issued by them. Any person who falsely represents himself as having received a certificate under the provisions of this act, or who shall continue to practice thereunder after the revocation of such certificate shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. Should any accountant certified under this act be convicted of gross negligence or of wilfully falsifying a report, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment.

Revocation or  
suspension of cer-  
tificate, regulated.

SECT. 6. Any citizen of the United States who has practiced three years as a certified public accountant in another state under a certificate issued by the proper authorities of such state, may, upon payment of the required fee, receive a certificate to practice in this state without an examination, *provided* the requirements in such state are, in the opinion of the bank commissioners, fully equivalent to those herein provided.

Certified account-  
ant practicing as  
such in another  
state for three  
years, may be  
certified here  
without examina-  
tion, in the dis-  
cretion of the  
commissioners.

SECT. 7. All expenses incurred under this act shall be paid from the fees received from examinations.

Expenses incurred  
to be paid from  
fees received  
under this act.

[Approved April 10, 1917.]

CHAPTER 128.

AN ACT IN AMENDMENT OF CHAPTER 125 OF THE LAWS OF 1909 AS AMENDED BY CHAPTER 168 OF THE LAWS OF 1915, ENTITLED "AN ACT IN RELATION TO DIVIDENDS OF SAVINGS BANKS."

SECTION

1. Savings banks not to pay over 3 1/2 % per annum except in certain cases. Value of assets, how determined.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Savings banks not to pay over 3 1/2 % per annum except in certain cases. Value of assets, how determined.

SECTION 1. That section 1, chapter 125, Laws of 1909, as amended by section 1, chapter 168, Laws of 1915, be amended by striking out all of said section and substituting therefor the following: SECTION 1. After providing for the requirements of the guaranty fund, savings banks and savings departments of trust companies may pay dividends from their net income, but not in excess of three and one-half per cent. per annum, unless the total value of the assets of such savings bank or savings department, as determined by the bank commissioners, shall exceed the amount due the depositors by at least five per cent.; nor shall such savings bank or savings department declare in any one year dividends exceeding in amount the net income actually collected by said bank during the year, after providing for the requirements of the guaranty fund. In determining the value of the assets of the savings department of a trust company, the assets in the general banking department of such company, to the extent that the same shall exceed in value the amount of deposits of whatever character in such department by five per cent., shall be deemed assets of such savings department.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 10, 1917.]

## CHAPTER 129.

AN ACT RELATING TO MUNICIPAL FINANCES, AND TO AMEND CHAPTER 43,  
SESSION LAWS OF 1895 AUTHORIZING MUNICIPAL CORPORATIONS TO  
ISSUE BONDS.

## SECTION

1. Sinking funds not to be established hereafter by municipalities or counties, but those now existing may be continued when and how.
2. Municipal debts to be met, how.
3. Municipalities and counties not to issue notes payable on demand.
4. Outstanding demand notes of municipalities, and trust funds that have been spent and not restored, to be paid how.
5. Municipalities and counties not to incur debt for certain purposes, except by prescribed method. This not to repeal sec. 6, ch. 28, P. S.
6. Municipal and county buildings and permanent public improvements, etc., may be paid for by money raised on serial notes or bonds, payable within 20 years.

## SECTION

7. Municipal indebtedness, classified and limited. Exceptions. Assets and liabilities, how determined. Legality of existing debts not affected.
8. Town budgets to be posted with warrant, and printed in town report at least one week before town meeting.
9. Fiscal year of town to end January 31st.
10. Certain statutes specifically repealed.
11. General repealing clause.
12. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Sinking funds for the payment of debt shall not hereafter be established by any municipality or county in this state, but every municipality and county shall make such annual contributions to every sinking fund heretofore established and fully maintained by it as shall be sufficient with the accumulations thereof to extinguish the debt on account of which said fund was established at maturity. The amount of the contribution shall without vote of the municipality or county be annually assessed and collected until the debt to be paid is extinguished. Sinking funds shall be invested only by deposit in savings banks in this state or in state, county or municipal bonds. Every municipality or county which has failed to establish sinking funds as heretofore required by law, or which has failed to make adequate contributions to sinking funds already established shall refund its outstanding indebtedness by the issue of bonds payable serially in the manner provided in section 2 of this act.

SECT. 2. Municipalities and counties shall hereafter provide for the payment of all debts, except temporary loans in anticipation of taxes made as provided by law, in annual payments so that the amount of the annual payment in any year on account of any debt shall not be less than the amount of the principal payable in any subsequent year. The total amount of such payments shall be suf-

Sinking funds not to be established hereafter by municipalities or counties, but those now existing may be continued when and how.

Municipal debts to be met, how.



ficient to extinguish the entire debt on account of which they are made at maturity, and the first payment shall be made not later than two years after the date of the bonds or notes issued therefor. The amount of each payment of principal, together with the interest on all debts shall, without vote of the municipality or county, be annually assessed and collected.

Municipalities and counties not to issue notes payable on demand.

SECT. 3. Municipalities and counties shall not hereafter issue notes payable on demand.

Outstanding demand notes of municipalities, and trust funds that have been spent and not restored, to be paid how.

SECT. 4. Every municipality which has, at the time when this act takes effect, outstanding notes payable on demand, or which has used the principal of trust funds and has not restored the same, may provide for the payment of such notes and for the restoration of such trust funds, in whole or in part, in the tax levy of 1918, and shall borrow not exceeding in the aggregate the amount, if any, required for paying the balance of such notes and restoring the balance of such trust funds, and issue bonds or notes therefor payable serially, in the manner provided in section 2 of this act, covering a period of not exceeding fifteen years from the date of issue. With money so provided said demand notes shall be paid and said trust funds restored in 1918.

Municipalities and counties not to incur debt for certain purposes, except by prescribed method. This not to repeal sec. 6, ch. 28, Public Statutes.

SECT. 5. Municipalities and counties shall not incur debt to provide for the payment of current maintenance and operation expenses except loans in anticipation of taxes as authorized by law, but nothing contained in this section shall be construed to repeal section 6 of chapter 28 of the Public Statutes.

Municipal and county buildings and permanent public improvements, etc., may be paid for by money raised on serial notes or bonds, payable within 20 years.

SECT. 6. Every municipality and county, for the construction and purchase of buildings and public improvements of a permanent nature, for the acquisition of land, for the purchase of departmental equipment of a lasting character, and for the payment of judgments, may issue the bonds or notes of such corporation, which shall be payable serially in the manner provided in section 2 of this act covering a period of not exceeding twenty years from the date of their issue. The debt evidenced by bonds and notes of municipalities and counties shall not be refunded except as provided in sections 1 and 4 of this act.

Municipal indebtedness, classified and limited. Exceptions. Assets and liabilities, how determined. Legality of existing debts not affected.

SECT. 7. Counties, cities and towns shall not incur debt to an amount exceeding three per cent.; school districts shall not incur debt to an amount exceeding two per cent.; and precincts shall not incur debt to an amount exceeding one per cent. of their last assessed valuation; *provided, however*, that loans in anticipation of taxes, as now authorized by law, may be made, and debts for supplying the inhabitants with water may be incurred outside of the limit of indebtedness. Whenever several municipal corporations possessing power to incur debt are identical with the town itself or cover or extend over identical territory or portions thereof, the town embracing such municipal corporations in one entity, and each of such municipal corporations shall so exercise this power to

increase its debt under the foregoing limitations that the aggregate debt of the town and of its municipal corporations over and upon any territory of this state shall not exceed six per cent. of the assessed valuation of the taxable property therein. In ascertaining the net debt of municipalities and counties sinking funds and cash applicable solely to the payment of the principal of their debt incurred within the debt limit shall be deducted. Nothing contained in this section shall be construed to abrogate or repeal the provisions of sections 1 and 4 of this act. Municipalities which have, at the time this act takes effect, outstanding indebtedness equal to three per cent. of their last assessed valuation shall not incur additional indebtedness until such outstanding debt shall be brought within the debt limit, except as provided above. The legality of debts heretofore contracted or authorized shall not be affected by this act, and this act shall not apply in time of war to debts contracted for war purposes.

SECT. 8. Immediately upon the close of the fiscal year the budget committee in towns where such committees exist, otherwise the selectmen, shall prepare a budget on blanks prescribed by the tax commission. Such budget shall be posted with the town warrant and shall be printed in the town report at least one week before date of the town meeting.

Town budgets to be posted with warrant, and printed in town report at least one week before town meeting.

SECT. 9. The fiscal year of towns, village precincts and departments thereof, excepting school districts, shall end on the thirty-first day of January.

Fiscal year of town to end January 31st.

SECT. 10. Sections 2 and 9, chapter 43, session Laws of 1895; section 17 of chapter 40 of the Public Statutes; section 49, chapter 43 of the Public Statutes, and section 1, chapter 291, session Laws of 1913, are hereby repealed.

Certain statutes specifically repealed.

SECT. 11. All acts and parts of acts inconsistent with this act are hereby repealed.

General repealing clause.

SECT. 12. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 10, 1917.]

CHAPTER 130.

AN ACT RELATING TO PENALTIES FOR LOTTERIES AND GAMBLING.

SECTION

- 1. Penalty for violating sections 1, 2, 3, 5, 6, 7 or 11 of chapter 270, Public Statutes.

SECTION

- 2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Penalty for violating sections 1, 2, 3, 5, 6, 7 or 11 of chapter 270, Public Statutes.

SECTION 1. Any person who shall violate any of the provisions of sections 1, 2, 3, 5, 6, 7 or 11 of chapter 270 of the Public Statutes shall be punished by a fine of not more than one hundred dollars or imprisonment for not more than one year or by both such fine and imprisonment.

Repealing clause; takes effect on passage.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved April 10, 1917.]

CHAPTER 131.

AN ACT RELATING TO SUITS ON NOTES SECURED BY MORTGAGE.

SECTION

- 1. Note secured by mortgage may be sued on without affecting mortgage as security; and suit to foreclose may also be maintained at the same time.

SECTION

- 2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Note secured by mortgage may be sued on without affecting mortgage as security; and suit to foreclose may also be maintained at the same time.

SECTION 1. Any person who holds a note secured by a mortgage, or partially secured by a mortgage, shall have the right to bring suit upon the note without losing his security upon the mortgaged property, and a suit upon the note, and a suit to foreclose the mortgage may be pending at the same time.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 10, 1917.]

CHAPTER 132.

AN ACT AUTHORIZING AN APPRAISAL OF NEW CASTLE BRIDGE CORPORATION TOLL BRIDGES.

SECTION

1. State highway commissioner to cause the bridges to be appraised before December 31, 1918, and report to legislature of 1919.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The state highway commissioner shall, prior to December 31, 1918, examine or cause to be examined and set a value on the bridges owned by the New Castle Bridge Corporation connecting the town of Newcastle and the city of Portsmouth and shall make a report to the legislature of 1919.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 10, 1917.]

CHAPTER 133.

AN ACT RELATING TO TUBERCULOSIS.

SECTION 1. State board of health to investigate prevalence of tuberculosis, and report to legislature of 1919. Expenses, how met.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The state board of health is hereby authorized to investigate the extent, prevalence and distribution of tuberculosis in New Hampshire; to ascertain what provisions exist and what are required better to provide for indigent cases; what sanatoria and hospitals receive tuberculosis cases for treatment, and which do not, and to ascertain any other facts having a bearing upon the restriction and prevention of tuberculosis, and to report the facts with the conclusions and recommendations of the board to the legislature of 1919, and the governor is hereby authorized to draw his warrant for the actual reasonable expenses incident to the carrying out of the provisions of this act.

[Approved April 10, 1917.]



CHAPTER 134.

AN ACT ESTABLISHING A JEWELERS' REPAIR LIEN LAW.

<p>SECTION</p> <p>1. Jeweler, etc., to have lien on article repaired; how enforced.</p>	<p>SECTION</p> <p>2. Takes effect on passage.</p>
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*Be it enacted by the Senate and House of Representatives in General Court convened:*

Jeweler, etc., to have lien on article repaired; how enforced.

SECTION 1. Every jeweler, watchmaker or silversmith who shall alter, repair or do any work on any article of personal property at the request of the owner or legal possessor of such property, shall have a lien upon and may retain the possession of any such article until the charges for such alteration, repairing or other work has been paid. If such debt remains unpaid for twelve months or more any such jeweler, watchmaker or silversmith may sell such article at private or public sale, and the proceeds, after first paying the expense of sale, shall be applied in payment of the debt, the balance, if any, to be paid over to the county treasurer of the county where the sale is held, in trust for the debtor. Before any such sale is held notice in writing must be given the debtor of the amount due and the time and place of sale. If the debtor's residence is known such notice must be mailed to his last known street address. If the debtor's address is unknown such notice must be given by the posting thereof in the county court house or the city, village or town hall, where the jeweler, watchmaker or silversmith resides.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 10, 1917.]

## CHAPTER 135.

## AN ACT TO ALLOW THE CITY OF DOVER TO ACQUIRE LAND FOR AN ARMORY.

## SECTION

1. Dover may donate land to the state for an armory.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The city councils of the city of Dover are hereby authorized and empowered to donate a suitable site from lands or lands and buildings now owned, or that may be acquired, either by gift or purchase, by said city of Dover, to the state of New Hampshire, to be used for a site for an armory to be erected by the state of New Hampshire at said Dover.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 10, 1917.]

## CHAPTER 136.

## AN ACT TO AMEND SECTION 5 OF CHAPTER 212 OF THE PUBLIC STATUTES, RELATING TO SHERIFFS, CORONERS AND CONSTABLES.

SECTION 1, Constables may serve civil process, where amount demanded does not exceed \$75.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend said section by striking out the words "thirteen dollars and thirty-three cents" in the third line and inserting in place thereof the words seventy-five dollars, so that said section as amended shall read as follows: SECT. 5. Constables shall serve and return writs and other civil precepts to them directed, wherein the amount demanded in damages does not exceed seventy-five dollars, and no others, and shall have similar powers and be subject to similar liabilities in relation thereto as sheriffs.

[Approved April 10, 1917.]

## CHAPTER 137.

AN ACT TO AUTHORIZE THE ADJUTANT-GENERAL TO INSURE PROPERTY OF THE UNITED STATES WHILE IN THE POSSESSION OF THE STATE FOR THE USE OF THE MILITIA.

## SECTION

1. Discretionary power vested.
2. Expense, how met.

## SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Discretionary  
power vested.

SECTION 1. The adjutant-general is authorized to effect such insurance upon property of the United States, in the hands of the state for the use of the national guard, as he may deem advisable.

Expense, how met.

SECT. 2. The governor, with the advice and consent of the council, is hereby authorized to draw his warrant upon any money in the treasury available for military purposes, or not otherwise appropriated, for such sums as may be necessary to carry out the provisions of this act.

Takes effect on  
passage.

SECT. 3. This act shall take effect upon its passage.

[Approved April 10, 1917.]

## CHAPTER 138.

AN ACT IN AMENDMENT OF SECTION 13 OF CHAPTER 219 OF THE PUBLIC STATUTES RELATING TO THE SERVICE OF LEGAL PROCESS.

SECTION 1. Service of process on unincorporated associations, joint stock companies, syndicates, orders, mutual associations, and copartnerships having more than four members, how made.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Service of process  
on unincorporated  
associations, joint  
stock companies,  
syndicates, orders,  
mutual associa-  
tions, and copart-  
nerships having  
more than four  
members, how  
made.

SECTION 1. Amend section 13 of chapter 219 of the Public Statutes by adding at the end thereof the following: Service of writs or other process against unincorporated associations, joint stock companies, syndicates, orders or any mutual association of persons, other than a co-partnership having not more than four members, within this state, may, except when otherwise provided, be made upon any officer thereof; or if it have no officer, then upon any two members thereof, so that said section as amended shall read as follows: SECT. 13. Service of writs against other corporations may be made upon the clerk, treasurer, cashier, or

one of the directors, trustees, or managers, if any in the state; otherwise upon any principal member or stockholder, or upon any agent, overseer, or other person having the care of any of the property or charge of any of the business of the corporation. Service of writs or other process against unincorporated associations, joint stock companies, syndicates, orders or any mutual association of persons, other than a co-partnership having not more than four members, within this state, may, except when otherwise provided, be made upon any officer thereof; or if it have no officer, then upon any two members thereof.

[Approved April 10, 1917.]

## CHAPTER 139.

### AN ACT IN AMENDMENT OF CHAPTER 189 OF THE PUBLIC STATUTES RELATING TO INVENTORY AND ACCOUNTS OF ADMINISTRATORS.

#### SECTION

1. Wearing apparel, ornaments, etc., not to be regarded as assets. Disposition of same.

#### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 189 of the Public Statutes is hereby amended by striking out the whole of section 3 of said chapter and inserting in place thereof the following: SECT. 3. The wearing apparel of the widow and her ornaments, according to the estate of her husband, and the wearing apparel, Bibles, and school-books of the minor children, are their property, and shall not be regarded as assets, or be the subject of bequest by the husband. The wearing apparel, Bibles, family pictures, photographs, postcards, postcard or other albums, and any other personal trinkets of sentimental rather than intrinsic value belonging to the deceased leaving a widow, husband, children or heirs surviving, shall not be inventoried or accounted for, but shall be delivered by the administrator to the surviving husband or wife, if any, otherwise shall be divided by him among the children or, if there are no surviving children, among the heirs; but the same may be otherwise disposed of by will.

SECT. 2. All acts or parts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 10, 1917.]



CHAPTER 140.

AN ACT RELATING TO THE APPOINTMENT OF REFEREES FOR THE HEARING OF CIVIL CAUSES.

SECTION

1. Court may appoint referees in cases where parties not entitled to jury trial.
2. Referees, procedure before.
3. Reports of referees, may be recommitted, or judgment rendered thereon.
4. Court may regulate practice before referees and fix time of hearing. Referees may impose costs for delay, etc., subject to revision by court.

SECTION

5. Fees of referee to be paid by county.
6. No justice of superior court to be auditor or referee in any case pending in that court.
7. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Court may appoint referees in cases where parties not entitled to jury trial.

SECTION 1. The superior court, or any justice thereof in vacation, with the consent of the parties shall, and without the consent of the parties may, commit to one or more referees any cause at law or in equity, or the determination of any question of fact pending in court wherein the parties are not, as matter of right, entitled to a trial by jury; and with the consent of the parties shall so commit any other cause or the determination of any other question of fact.

Referees, procedure before.

SECT. 2. Referees shall proceed in all cases, unless the parties otherwise agree, according to the rules of law or of equity, as the case may be, and according to the practice in court, and shall report their decision as soon as may be to the court. If either party shall request it, they shall state specifically all matters of fact found by them to have been proved, and their rulings upon all questions of law.

Reports of referees, may be recommitted, or judgment rendered thereon.

SECT. 3. Reports of referees may be recommitted to the same or other referee or referees, or such judgment may be rendered thereon as the law and facts require.

Court may regulate practice before referees and fix time of hearing. Referees may impose costs for delay, etc., subject to revision by court.

SECT. 4. The court may make rules to regulate the practice and proceedings before referees and may fix the times and places for their hearings. The referees may impose costs upon either party, as terms for delay, postponement, or continuance, subject to revision by the court.

Fees of referee to be paid by county. No justice of superior court to be auditor or referee in any case pending in that court.

SECT. 5. The court shall allow a reasonable compensation to referees for their services and expenses, which shall be paid by the county.

Repealing clause; takes effect on passage.

SECT. 6. No justice of the superior court shall be auditor or referee in any cause pending in the court.

SECT. 7. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 10, 1917.]

CHAPTER 141.

AN ACT IN AMENDMENT OF CHAPTER 102, LAWS OF 1901, ENTITLED  
“AN ACT TO PROVIDE FOR THE CARE AND EDUCATION OF FEEBLE-  
MINDED CHILDREN” AS AMENDED BY CHAPTER 23, LAWS OF 1905.

SECTION

1. Feeble-minded children of both sexes  
to be maintained, how and where,  
and for what length of time.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Amend section 1, chapter 102, Laws of 1901, as amended by section 1, chapter 23, Laws of 1905, by striking out the words “feeble-minded girls” and inserting in place thereof the words the feeble-minded, and also by striking out the words “between three and twenty-one years of age” so that said section as amended shall read as follows: SECTION 1. The state shall establish and maintain a school for the care and education of the idiotic and feeble-minded, which shall be known as the New Hampshire School for the Feeble-Minded Children. All children supported by towns or counties in the state, who in the judgment of the selectmen of towns or county commissioners of the county or state board of charities are capable of being benefited by school instruction, shall be committed to this institution. Provision shall also be made for the detention, care and custody of the feeble-minded, who are inmates of the school, after they reach the age of twenty-one, if in the judgment of the board of trustees their segregation seems to be for the best interests of the community.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
pasage.

[Approved April 10, 1917.]

CHAPTER 142.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 198 OF THE LAWS OF 1911, RELATING TO THE BUREAU OF LABOR.

SECTION

1. Certain proceedings in labor controversies not to be used as evidence in judicial proceedings.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Certain proceedings in labor controversies not to be used as evidence in judicial proceedings.

SECTION 1. Amend section 4, chapter 198, Laws of 1911, the same being the original section 3 of said act as renumbered by section 1, chapter 186, Laws of 1913, by adding at the end thereof the following: Neither the proceedings nor any part thereof before the labor commissioner by virtue of this section shall be received in evidence for any purpose in any judicial proceeding before any other court or tribunal whatever, so that as amended said section shall read: SECT. 4. Whenever any controversy or difference arises relating to the conditions of employment or rates of wages between any employer, whether individual, co-partnership or corporation, and whether resident or non-resident, and his or their employees, such controversy involving the interest of employees not less than ten persons in the same general line of business in this state, the labor commissioner shall, upon application as hereinafter provided, as soon as practicable thereafter, visit the locality of the dispute and make careful inquiry into all the conditions and circumstances of the situation, hear all persons interested therein who may come before him, advise the respective parties what, if anything, ought to be conceded by either or both, and adjust such controversy or difference and, within five days after such inquiry, make a written decision thereon, a copy of which shall be furnished the parties and a copy kept on file in the bureau of labor. Neither the proceedings nor any part thereof before the labor commissioner by virtue of this section shall be received in evidence for any purpose in any judicial proceeding before any other court or tribunal whatever.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 10, 1917.]

## CHAPTER 143.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 61, PUBLIC STATUTES,  
AS AMENDED BY SECTION 1, CHAPTER 15, LAWS OF 1893, RELATING  
TO COLLECTION OF TAXES OF NON-RESIDENTS.

## SECTION

1. Evidence of publication of notice of sale of lands taxed to non-residents, to be recorded in registry of deeds in counties, in certain cases, by the publisher.

## SECTION

2. Town and city clerks to record in registry of deeds list of lands re-deemed. Effect of record.
3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Amend section 2, chapter 61, Public Statutes as amended by section 1, chapter 15, Laws of 1893 by adding at the end thereof the following: The proprietors of the Independent Statesman shall, after the publication of the first notice, mail to the collectors of the several towns and cities as many copies of the newspaper containing the advertisement aforesaid as there are non-resident taxpayers in said list. And the collectors of the several towns and cities shall mail, postpaid, a copy of said newspaper to each non-resident taxpayer to his last known post office address. And the proprietors of said Independent Statesman shall immediately after the third publication of said sale for unpaid non-resident taxes, and the proprietors of such newspapers in the several counties excepting the county of Merrimack, in which said list shall be published, shall file with the register of deeds in each county a certificate under oath of the publication of said list of lands to be sold for unpaid taxes as appeared by the published list, and the dates of each publication, in each county of this state where the lands are situated. And the several registers of deeds shall make a record thereof in a special book kept for that purpose, and a copy of said record, certified by the register of deeds, shall be received as evidence of the fact of such publication and the record thereof in any court, so that said section as amended shall read as follows:

SECT. 2. Such list shall be delivered to the collector on or before the thirtieth day of June. The collector shall, on or before the first day of September, send to the owners of non-resident property, or their agents, if known, a bill of their taxes, and shall, on or before the first day of January following, advertise the property on which the taxes shall not have been paid for sale in the Independent Statesman, a newspaper printed at Concord, and also, when property is not situated in Merrimack county, in some newspaper printed in the county where the property is situate, if any, otherwise in some adjacent county. The proprietors of the Independent Stateman shall, after the publication of the first notice, mail to



the collectors of the several towns and cities as many copies of the newspaper containing the advertisement aforesaid as there are non-resident taxpayers in said list. And the collectors of the several towns and cities shall mail, postpaid, a copy of said newspaper to each non-resident taxpayer to his last known post office address. And the proprietors of said Independent Statesman shall immediately after the third publication of said sale for unpaid non-resident taxes, and the proprietors of such newspapers in the several counties excepting the county of Merrimack, in which said list shall be published, shall file with the register of deeds in each county a certificate under oath of the publication of said list of lands to be sold for unpaid taxes as appeared by the published list, and the dates of each publication, in each county of this state where the lands are situated. And the several registers of deeds shall make a record thereof in a special book kept for that purpose, and a copy of said record, certified by the register of deeds, shall be received as evidence of the fact of such publication and the record thereof in any court.

Town and city clerk to record in registry of deeds list of lands redeemed. Effect of record.

SECT. 2. Amend section 15 of chapter 61 by adding at the end of said section the following: And the town and city clerks of the several towns and cities shall forward immediately to the register of deeds a certified copy of the list of lands redeemed, which list shall be recorded by said register of deeds in the special book specified in section 2 aforesaid. A certified copy by the register of deeds of the lands redeemed shall be received as evidence of the fact of such redemption in any court, so that said section as amended shall read as follows: SECT. 15. Within ten days after the expiration of two years from the sale, the collector shall leave with the town clerk, to be recorded, a correct list of the lands so redeemed. And the town and city clerks of the several towns and cities shall forward immediately to the register of deeds a certified copy of the list of lands redeemed, which list shall be recorded by said register of deeds in the special book specified in section 2 aforesaid. A certified copy by the register of deeds of the lands redeemed shall be received as evidence of the fact of such redemption in any court.

Repealing clause; takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 10, 1917.]

CHAPTER 144.

AN ACT TO PROVIDE FOR A HOME GUARD.\*

SECTION

1. Military emergency board provided, appointment and qualification of. Duties. Troops to be recruited, how.

SECTION

2. Board and governor to make regulations for enlistment, equipment, maintenance and compensation.  
3. Expenses, how met.  
4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The governor is authorized to appoint a board composed of three members to be known as the military emergency board who shall hold office from the date of their appointment until April 1, 1919, and until their successors are appointed and qualified. Said board shall take proper action to perfect and maintain a body of armed troops for duty within the state of New Hampshire to be known as the home guard. Such troops shall be recruited from the citizens of the state who cannot be held for service in the national guard and shall be called into service only by the order of the governor.

SECT. 2. Said board, acting with the governor, shall make regulations to provide for the manner and form of enlistment, organization, government, discipline, maintenance, armament, equipment, and for compensation of the home guard when called into active service, and do all things necessary and proper to carry out the purposes of this act. Such compensation so paid shall not be at a greater rate than that now paid the national guard while in active state service.

SECT. 3. The governor, with the advice and consent of the council, is hereby authorized to draw his warrant upon any money in the treasury available for military purposes, or not otherwise appropriated, for such sums as may be necessary to carry out the provisions of this act.

SECT. 4. This act shall take effect from its passage.

[Approved April 11, 1917.]

\* See chapter 197, in amendment hereof.

CHAPTER 145.

AN ACT RELATING TO WILLFUL AND MALICIOUS INJURIES.\*

SECTION

- 1. Penalty for willful, wanton or malicious injury to certain property.
- 2. P. S., ch. 266, sec. 1, not affected hereby.

SECTION

- 3. This act to be construed as an amendment to all other acts imposing penalties for same offenses.
- 4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Penalty for willful, wanton or malicious injury to certain property.

SECTION 1. If any person shall willfully, wantonly or maliciously injure, destroy or damage any public or other building or other property belonging to, or leased or used by the state, or any county, city, town or public utility within the state; or any building used for manufacturing purposes or for storage of grain or food products; or any munitions of war or other goods or property useful for military purposes while in process of manufacture, in transit or in storage; or any gas or oil tank; or any dam at the outlet of any lake or pond or upon any river or stream within the state; or any bridge upon any public highway, or toll bridge; or any buildings, rails, culverts, bridges, tracks, platforms or other parts or appendages of any railroad, or street or electric railway, or any engines or cars used thereon; or any posts, wires or other materials or fixtures of any railroad or public telegraph or telephone line, electric light or power line or any other public utility; or any fire engine or hydrant, or the apparatus thereto belonging; or any spring or reservoir or other property of any water company or of any city or town or municipal corporation used by it to supply water to its inhabitants or for extinguishing fires, or any aqueduct leading therefrom; or shall willfully, wantonly or maliciously place any obstruction on any public or toll bridge or public road with intention to injure persons passing thereon; or change, move, open, displace or tamper with any switch belonging to any railroad; or poison, defile or corrupt any well, spring, brook, lake, pond, river or reservoir, the water from which is used for domestic purposes, he shall be punished by a fine not exceeding five thousand dollars, or by imprisonment not exceeding ten years, or both.

P. S., ch. 266, sec. 1, not affected hereby.

This act to be construed as an amendment to all other acts imposing penalties for same offenses.

Takes effect on passage.

SECT. 2. Nothing in this act shall be construed to alter or affect the provisions of section 1 of chapter 266 of the Public Statutes.

SECT. 3. This act shall be deemed to be an amendment of all other acts imposing penalties for the same offenses, which said acts, except in so far as they are inconsistent with this act, shall remain in force.

SECT. 4. This act shall take effect upon its passage.

[Approved April 12, 1917.]

\* Amended by chapter 222, *post*.

CHAPTER 146.

AN ACT TO PROHIBIT, DURING TIME OF WAR OR INVASION, THE COERCION  
OF LABOR, STRIKES AND LOCKOUTS, IN CERTAIN CASES.

SECTION

- 1. Acts prohibited.
- 2. Penalty.

SECTION

- 3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. No person shall, during time of war or invasion, in- Acts prohibited.  
fluence or coerce or attempt to influence or coerce, any person or  
persons not to work in any shop, mill, factory, munition plant or  
other industry or establishment whatever, nor instigate or encour-  
age, nor attempt to instigate or encourage, any strike or lockout  
among the employees of such shop, mill, factory, munition plant or  
other industry or establishment whatever, so long as such industry  
or establishment is engaged in the manufacturing, making or deliv-  
ering of sustenance, clothing, weapons, munitions, material or other  
supplies, for the army or the navy of the United States or the mili-  
tary or naval service of the state.

SECT. 2. Any person violating any of the provisions of this act Penalty.  
shall be fined not less than five hundred dollars nor more than one  
thousand dollars for each offense, or be imprisoned not more than  
nine months in the county jail or both.

SECT. 3. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 12, 1917.]



## CHAPTER 147.

AN ACT TO REPEAL CHAPTER 95 OF THE LAWS OF 1903, ENTITLED "AN ACT TO REGULATE THE TRAFFIC IN INTOXICATING LIQUOR," AND TO AMEND THE LAWS PROHIBITING THE SALE OF INTOXICATING LIQUOR; AND TO PROHIBIT THE MANUFACTURE OF INTOXICATING LIQUOR FOR BEVERAGE USE.

## SECTION

1. Repeals Laws of 1903 ch. 95 and all amendments, and acts supplementary thereto.
2. State liquor agent; appointment; term of office; duties; penalty for violating this act.
3. Bonds of state liquor agent; compensation.
4. Reports of agent, to contain what.
5. Town agents to purchase their liquors of state agent.
6. Appointment of liquor agents for towns and cities; qualifications; term of office; removal; duties. Agency not to be located in hotel, etc.
7. Analysis of liquors in local agency, and penalty for keeping impure liquors.
8. Certificate of appointment as agent; rules for their government in making sales.
  - (1) Purposes for which liquor may be sold.
  - (2) Sales to be for cash only.
  - (3) Prices; disposition of profits.
  - (4) Hours of sale.
  - (5) Record of sales, to contain what.
  - (6) Record books open to inspection of certain officers.
  - (7) Location, hours, and management of agency.
  - (8) Schedule of prices to be posted.
9. Agents' reports.
10. Penalty for violation of this act by an agent.
11. Penalty for adulteration of liquor by an agent.
12. Bonds of town agent; compensation.
13. Penalty for false statement by purchaser, or improper use of liquor.
14. Druggists' permit may be issued in towns or cities not voting to have local agent. Sales by such regulated.
15. Druggist to keep record of sales; open to inspection.
16. Penalty for violation of law by druggist; permit forfeited.
17. Physician's prescription for intoxicating liquor; form of; duty of physician regulated.

## SECTION

18. Penalty for violation by physician.
19. Sale without authority, how punished.
20. What deemed unlawful selling.
21. Jamaica ginger, etc., sale of for beverage use, unlawful selling of liquor.
22. Common seller, how punished.
23. Soliciting orders; deemed unlawful selling.
24. Second offense; duty of public officer to prosecute for, when informed of prior conviction; failure to do so, cause for removal of official.
25. Court to require charge of second offense when informed of prior conviction.
26. Sentence for first offense may be suspended; but not as to second or subsequent offense.
27. On prosecution for second offense, record of prior conviction how set forth.
28. Delivery of liquor, *prima facie* evidence of illegal sale, when.
29. Certain evidence deemed *prima facie* evidence of offense charged.
30. Drunkards discharged if they disclose and testify from whom they purchased liquor whereby they became intoxicated.
31. Clerk, servant or agent of accused, must testify; effect of.
32. Inferior court to bind over respondent, when; procedure thereon. Violation of bond.
33. Plea of *nolo contendere*, not to be received in prosecutions under this act.
34. Seizure and forfeiture of property used in illegal selling.
35. Relative or employer of person addicted to liquor, may forbid sale to such person, how; person violating the notice liable for damages. Married woman may sue to recover damages.
36. Party selling illegally, liable for damages done by purchaser while intoxicated.
37. Penalty for knowingly permitting use of premises for the illegal sale of liquor.

## SECTION

38. Person convicted of drunkenness, prohibited from having liquor for one year thereafter, except for *bona fide* medicinal use, on doctor's advice. Penalty. Liquor subject to forfeiture.
39. No indictment after thirteen months.
40. Prosecuting agents; powers and duties; accounts; salary; vacancy in, how filled.
41. Duties of attorney-general in enforcement of this law.
42. Duties of county solicitor in enforcement of this law.
43. County solicitor not to be attorney for liquor interests.
44. Solicitor to prosecute on complaint of prosecuting agent or reputable citizens. Such complaints confidential communications. Corrupt practice by solicitor, how charged.
45. Solicitor may be removed and disbarred.
46. Extra compensation for solicitor in certain prosecutions under this law.
47. Procedure for approval of bill for extra compensation.
48. Sheriff and deputies may be required to investigate alleged violations of this act. Compensation.
49. Certain officers charged with duty of prosecuting violations of this act. Penalty for neglect. Fines imposed in prosecutions by town or city officials belong to town or city.

## SECTION

50. State commissioner of law enforcement; appointment; jurisdiction; duties; compensation. Fines in cases he prosecutes to be paid to state treasurer.
51. Act not to be interpreted as limiting existing power or duty of officers of the law to prosecute.
52. Attorney-general allowed clerical assistance.
53. Manufacture of intoxicating liquor for beverage use prohibited. Penalty.
54. Search warrant, may contain what.
55. Search warrant may direct search of person or any vehicle.
56. Transportation of liquor for delivery in this state regulated; records of such; packages to be marked so as to disclose contents.
57. Liquor shipped illegally may be forfeited.
58. Penalty for illegal shipments.
59. Persons exempt.
60. Definition of spirituous and intoxicating liquor, etc.
61. Specific repeal of P. S., ch. 112, and amendments, and general repeal of inconsistent acts. Takes effect May 1, 1918.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 95 of the Laws of 1903, entitled "An Act to regulate the traffic in intoxicating liquor," and all acts or parts of acts amendatory thereof or supplementary thereto, are hereby repealed.

Repeals Laws of 1903 ch. 95 and all amendments, and acts supplementary thereto.

### Legal Sale.

### State and Town Agents.

SECT. 2. The governor, with the advice and consent of the council, shall from time to time appoint one or more suitable persons, residents of the state, to be known as state liquor agents, to furnish the agents appointed in towns and cities, under this act for the sale of spirituous and malt liquors, with pure, unadulterated spirituous and malt liquors, on such terms and under such regulations and restrictions as to him may seem proper; *provided, however,*

State liquor agent; appointment; term of office; duties; penalty for violating this act.

that the terms, regulations, and restrictions shall not be inconsistent with any provision of this act. The agent so appointed shall hold office during the pleasure of the governor and council until another is appointed in his stead. He shall not sell to the town or city agents any spirituous or malt liquors, except such as are pure and of sufficient age, and have been tested by a competent assayer. Violation of any of the provisions of this act by a state agent shall be punished by a fine of one hundred dollars, or imprisonment for three months, or both.

Bonds of state liquor agent; compensation.

SECT. 3. The persons so appointed shall give bond to the state, for the benefit of such towns as shall be injured by a breach of the condition thereof, in such sum not less than ten thousand dollars as the governor may deem sufficient, with condition that the person shall furnish to town and city agents pure and unadulterated spirituous liquors upon terms and in conformity with the regulations and restrictions prescribed by the governor and by this act. The governor, with the advice and consent of the council, shall fix the salary of the agent or agents.

Reports of agent, to contain what.

SECT. 4. The state agents appointed under this act, on or before the first of October, annually, shall make and file with the governor and council an itemized report, under oath, of all purchases made by them, and from whom purchased, the cost thereof per gallon, quart, or case, and of all sales, the prices received, and the quantities and kinds sold to each town and city agent, for the fiscal year ending the thirty-first day of August preceding, which reports shall be filed in the secretary of state's office, and open to inspection by any one interested.

Town agents to purchase their liquors of state agent.

SECT. 5. The governor, upon the appointment of a state agent, shall notify town and city agents of the appointment, and of the terms, restrictions, and regulations by him prescribed for the government of the state agent, in such manner as he shall deem proper; and such town and city agents shall purchase thereafter of the persons so appointed all spirituous and malt liquors that may be required for sale in their towns or cities, and of no other person. Such appointments shall not pledge the credit of the state for payment for any liquors purchased by a state agent.

Appointment of liquor agents for towns and cities; qualifications; term of office; removal; duties. Agency not to be located in hotel, etc.

SECT. 6. The selectmen of towns and the mayors of cities may appoint not exceeding three liquor agents, on or before April 1 of each year, *provided* the city government or town votes to have liquor agents in such cities or towns for the ensuing year, to sell, as provided in this act, pure spirituous and malt liquors for medicinal, sacramental, mechanical and scientific purposes; who shall hold office for one year, or until another is appointed, but may be removed at the pleasure of the mayor or selectmen for cause and shall be removed by them for any violation of the provisions of this act. No innkeeper, or keeper of any place of public entertainment, or any person who has been convicted of the violation of any provision

of this act, shall receive or hold the appointment, nor shall the agency be located or kept in any hotel, drug-store, saloon, or place of public entertainment, or any place where liquor is sold in violation of the law.

SECT. 7. The selectmen and mayor shall, from time to time, cause samples of the liquor kept by their agents to be analyzed, and if found to be impure shall cause the agent who is responsible for selling or offering for sale such liquors, to be prosecuted; and if he is found guilty, he shall be fined fifty dollars, or imprisoned three months, or both; and the expense of said analysis shall be added to the cost now allowed to be taxed in criminal cases.

Analysis of liquors in local agency, and penalty for keeping impure liquors.

SECT. 8. The town and city agents shall be given a certificate of appointment, and shall be governed by the following rules, a copy of which shall be given to them by the selectmen or mayor appointing them, and another conspicuously posted in the agency:

Certificate of appointment as agent; rules for their government in making sales.

I. The agent may sell pure spirituous and malt liquors for medicinal use; but he shall make such sales only upon the prescription of a regular physician, who is practicing his profession in the state; only one sale shall be made on any prescription, and the prescription shall be cancelled by writing across its face, the word Cancelled, with the date on which the same is filled. He may also sell wine for sacramental use on the purchase certificate signed by an officer of the church by which such sacramental wine is to be used; and he may sell alcohol for mechanical or scientific use, on the certificate, signed by the purchaser, certifying the particular mechanical or scientific use for which the alcohol is intended.

Purposes for which liquor may be sold.

II. He shall sell for cash.

Sales to be for cash only.

III. He shall sell the liquor at such prices as are fixed by the mayor or selectmen, which prices shall be fixed so far as possible so as to pay the expenses of the agency and leave no profit. If any net profits are derived from the agency, after the payment of all expenses, including the agent's compensation, and the cost of liquors purchased by the agency, less the value of the liquors on hand, such profits shall be paid to the state treasurer by the city or town treasurer.

Prices; disposition of profits.

IV. He shall not sell in the night time, nor upon the Sabbath, out of the hours herein specified, except in cases of urgent necessity.

Hours of sale.

V. A book shall be furnished by the town or city, to be kept by every agent, in which he shall enter at the time of such sale, the date thereof (the purchaser shall also sign his true name therein, if able to do so; and if not, shall make his mark, which shall be properly witnessed in said book as a part of said entry), the kind, quantity, and price of said liquor, the purpose for which it is sold, and the residence by street and number, if there be such, of each purchaser, the name of the physician who gave the prescription; and the signature of the person purchasing for sacra-

Record of sales, to contain what.



mental, mechanical or scientific use. Said book shall be substantially as follows: Date. Name of purchaser. Residence, Kind. Quantity. Purpose or use. Price. Name of physician giving prescription. Signature of purchaser. Witness to mark.

Record books open to inspection of certain officers.

VI. The books, certificates, and prescriptions provided for in this act shall be and remain the property of the town or city, and shall at all times be open to the inspection of the mayor, aldermen, police commissioners, police officers, selectmen, overseers of the poor, sheriffs, constables, justices of the peace, attorney-general, solicitors, and prosecuting agents. When a vacancy occurs in the office, the books and prescriptions shall be deposited with the town or city clerk.

Location, hours, and management of agency.

VII. The agency shall be kept in a convenient and suitable location, to be designated by the selectmen or mayor. It shall be open on week days from 7 to 12 a. m., and from 1 to 6 and 7 to 9 p. m.; and on Sundays from 9 to 10 a. m., and from 12 to 1 and 5 to 6 p. m. No liquor shall be given away by the agent, or allowed to be drunk upon the premises, nor shall any one be allowed to loiter or loaf in or about the agency.

Schedule of prices to be posted.

VIII. A schedule of the prices fixed by the mayor or selectmen shall be made out and posted in a conspicuous place in the office of the liquor agent.

Agents' reports.

SECT. 9. The agent, on or before the first day of March, annually, shall make to the mayor or selectmen a sworn report covering the fiscal year last ended, of all his purchases and the cost thereof, and of all sales and the proceeds thereof, specifying the number of sales and the quantities and kinds sold for each of the purposes for which he is authorized to sell, and the quantity, kind, and cost of all liquors remaining on hand at the date of such report; said report to be accompanied by proper vouchers to sustain the expenditures claimed to have been made; and all money remaining in his hands as the net profits of the agency shall be turned over to the town treasurer at the time of filing said report.

Penalty for violation of this act by an agent.

SECT. 10. If any such agent shall give away or sell any spirituous or malt liquor, knowing or having reasonable cause to believe it is to be used for any other purpose than those for which he is authorized to sell the same, or shall knowingly and intentionally violate any of the provisions of this act, or any rule or regulation herein provided, he shall for each offense be fined fifty dollars, or be imprisoned not exceeding ninety days, or both.

Penalty for adulteration of liquor by an agent.

SECT. 11. If any agent shall adulterate any spirituous or malt liquors which he may keep for sale, or knowingly purchase any impure liquors, or shall buy any spirituous or malt liquors of any other person than the person appointed by the governor, or charge a higher price than that fixed by the selectmen or mayor, or shall sell any liquor on his own account, he shall forfeit fifty dollars or be fined fifty dollars, or be imprisoned ninety days, or both.

SECT. 12. The agent shall furnish a good and sufficient bond to the town or city for the faithful performance of his duty, before entering upon the duties of the office, and shall receive for his services such compensation as the selectmen or mayor shall prescribe, which shall not be increased or diminished by reason of the amount of sales made; and he shall not be interested, except as an inhabitant of the town or city, in the liquors or in the purchase or sale or profits thereof.

SECT. 13. If any person purchasing spirituous or malt liquor shall make a false statement regarding the use for which the liquor is intended to be applied by the purchaser, or the person for whom it is obtained, or if he shall use, or suffer anyone else to use for a beverage any of the liquor so purchased, he shall be punished by a fine of fifty dollars for the first offense, and for any subsequent offense he shall be punished by a fine of one hundred dollars and imprisoned in the house of correction not less than sixty days nor more than six months.

#### Druggist Permit.

SECT. 14. If a city government, or a town, does not vote to have a liquor agent, such city government, or town, may vote to give a prescription permit to any druggist, who is a registered pharmacist doing business in the city or town, to sell liquor for medicinal use; but such sale shall be made only upon the prescription of a regular physician who is practicing his profession in the state; only one sale shall be made on any prescription; and the prescription shall be cancelled by writing across its face, the word Cancelled, with the date on which the same is filled. Such permit shall also include the sale of sacramental wine, on the purchase certificate of an officer of the church by which such sacramental wine is to be used, and the sale of alcohol for mechanical or scientific use on the certificate of the purchaser stating the particular mechanical or scientific use for which such alcohol is intended.

The permit provided for in this section shall be in the following form, for which the druggist receiving the same shall pay a fee of one dollar:

State of New Hampshire, city or town of.....

This is to certify that A.....B....., a duly registered pharmacist doing a regular business as a druggist in the city or town of....., is hereby authorized by this official permit to sell liquor for *bona fide* medicinal use on the prescription of a regular practicing physician; and also to sell wine for sacramental use on the purchasing signature of an officer of the church for which such sacramental wine is intended; and to sell alcohol for mechanical or scientific use on the certificate of the purchaser stating the particular mechanical or scientific use

Bonds of town agent; compensation.

Penalty for false statement by purchaser, or improper use of liquor.

Druggists' permit may be issued in towns or cities not voting to have local agent. Sales by such regulated.

for which such alcohol is intended ; such sales to be made in accordance with the law providing therefor.

Signed.....

Mayor

.....

or

.....

Selectmen.

Druggist to keep record of sales; open to inspection.

SECT. 15. Every druggist, selling liquor in accordance with this act on the permit of the mayor of a city, or selectmen of a town, shall keep the record of such sales in a book, as provided in subdivisions V and VI of section 8 of this act, for town and city liquor agents, and such book shall be open to inspection as therein provided.

Penalty for violation of law by druggist; permit forfeited.

SECT. 16. If any druggist shall sell intoxicating liquor for any other purpose or use, or in any other way, than as specified in his permit, according to this act providing for such sale, or if he shall violate any of the provisions of this act or amendments thereto, he shall be punished as for the unlawful selling of intoxicating liquor, as provided elsewhere in this act and his permit shall be cancelled by the mayor or selectmen.

Form of Prescription.

Physician's prescription for intoxicating liquor; form of; duty of physician regulated.

SECT. 17. Before a physician shall give to any person a prescription for intoxicating liquor, he, the physician, shall make a diagnosis of the disease of the person applying for the prescription, and he shall exercise the same professional skill and care in giving a prescription for intoxicating liquor as in giving a prescription for any poisonous drug. The prescription for intoxicating liquor for medicinal use shall be in the following form:

State of New Hampshire.

City or town of.....

I.....a regular practicing physician under the laws of New Hampshire, do hereby certify that I have examined....., a patient under my care, and I do hereby prescribe.....(quantity)..... of.....(kind of liquor).....; and I further certify, that in my opinion, such liquor is necessary to cure, or alleviate the disease from which the patient is suffering.

(Signed).....M. D.

Penalty for violation by physician.

SECT. 18. If any physician shall fail, or neglect, to make the examination and exercise the care in giving a prescription for intoxicating liquor, as specified in the preceding section of this act, or shall violate any of the provisions of this act, he shall be deemed giving a fraudulent or false prescription, and shall be punished by a fine of ten dollars for the first offense, and for any subsequent offense he shall be punished by a fine not exceeding fifty dollars, and imprisonment for not more than sixty days.

### Illegal Sale.

SECT. 19. If any person, not being authorized by law to sell intoxicating liquor, shall sell, or keep for sale, any intoxicating liquor in any quantity, he shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) and also imprisoned not less than thirty, nor more than sixty days; and for any subsequent offense he shall be fined not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) and also imprisoned not less than two nor more than twelve months. *Provided, however,* that a person may sell cider in any quantity not less than one barrel at a single sale, to be delivered and removed from the place of sale at one time; and *provided* also, that a person may sell cider in an unfermented state, that is, not containing alcohol.

Sale without authority, how punished.

### Procuring, Furnishing, Giving Away Liquor.

SECT. 20. The procuring, furnishing, or giving away of intoxicating liquor, or any shift or device to evade the provisions of this act, shall be deemed unlawful selling within the provisions of this act, and the punishment shall be the same as in the case of selling or keeping for sale intoxicating liquor. The words "furnishing or giving away," where they occur in this act, shall not apply to giving away intoxicating liquor by a person in his private dwelling, unless said private dwelling is a place of public resort.

What deemed unlawful selling.

### Jamaica Ginger.

SECT. 21. The sale of Jamaica Ginger, or other compounds of alcohol, in such quantity, or with such frequency, as to indicate that it is intended for beverage use, shall be deemed unlawful selling of intoxicating liquor, within the provisions of this act; and the punishment shall be the same as in the case of selling or keeping for sale intoxicating liquor.

Jamaica ginger, etc., sale of for beverage use, unlawful selling of liquor.

### Common Seller.

SECT. 22. If any person, not being authorized by law to sell intoxicating liquor, shall be a common seller of intoxicating liquor, he shall be fined one hundred dollars (\$100), and shall also be imprisoned not less than three nor more than twelve months.

Common seller, how punished.

### Soliciting Orders.

SECT. 23. If any person shall seek, solicit, accept or transmit from or for any other person in this state, an order for intoxicating liquor, such seeking, accepting, soliciting or transmitting of such an order for liquor shall be deemed unlawful selling of intoxicating

Soliciting orders; deemed unlawful selling.



liquor within the provisions of this act, and the punishment shall be the same as in the case of selling or keeping for sale intoxicating liquor.

Second Offense.

Second offense; duty of public officer to prosecute for, when informed of prior conviction; failure to do so, cause for removal of official.

SECT. 24. Any public officer upon whom the duty of enforcing the provisions of this act is now, or hereafter may be, imposed, shall, in the performance of his duty, cause an indictment to be obtained, information filed, or complaint made for second offense, whenever it is brought to his attention that the person charged with violating this act, or amendments thereto, has been previously convicted of an offense against this act; and for any refusal or failure to comply with the requirements of this act, or to perform the duties herein imposed upon him, such officer shall be fined, or forfeit, \$300 for each such refusal or failure; and such refusal or failure shall be sufficient ground for his removal from office.

Court to require charge of second offense when informed of prior conviction.

SECT. 25. It shall be the duty of the court before whom an offense against any provision of this act is returned, upon having its attention called to the fact, and proof made, that the respondent has been previously convicted of a violation of this act, or amendments thereto, to quash the complaint, information or indictment, and cause a complaint or information to be made by the county solicitor for a second offense, and have the same served and returned and brought before said court, or before some other court having jurisdiction.

Sentence for Second Offense not Suspended.

Sentence for first offense may be suspended; but not as to second or subsequent offense.

SECT. 26. Courts having jurisdiction over violations of this act may suspend any sentence imposed by them on complaint, information or indictment for a first offense, so long as the respondent refrains from violating any of the provisions of this act. Sentence imposed for second or any subsequent offenses shall not be suspended, but shall be enforced by the court without indulgence or delay.

On prosecution for second offense, record of prior conviction how set forth.

SECT. 27. In any complaint or indictment against a person for a violation of any provision of this act other than the first offense, it shall be sufficient to allege the record of the former conviction briefly; and such allegation may be amended without terms, in any stage of the proceedings before final judgment as a matter of right.

Evidence of Sale.

Delivery of liquor, *prima facie* evidence of illegal sale, when.

SECT. 28. The delivery of intoxicating liquor in any place or manner, except as provided in this act for the legal sale and delivery of such liquor, shall be deemed *prima facie* evidence of sale. If conditions, such as (1) the presence of bottles, glasses or other

vessels containing intoxicating liquor in any quantity, or (2) any degree of intoxication of any person present, or (3) the possession of liquor in such quantity or under such circumstances as indicates its possession for sale or giving away, or (4) any other conditions, indicate keeping for sale, selling, giving away or furnishing intoxicating liquor upon any premises, or by any person, such conditions shall be given due weight as evidence of the sale or keeping for sale intoxicating liquor on such premises or by such person.

SECT. 29. Upon the trial of a complaint or indictment for keeping intoxicating liquor for sale, or for being a common seller of intoxicating liquor, evidence that the respondent exposes or suffers to be exposed in, upon, or about his place of business, any sign, placard, or other advertisement of intoxicating liquor, or exposes or suffers to be exposed within his place of business bottles or other articles labeled with the name of any kind of spirituous or intoxicating liquor, or a coupon receipt showing the payment of a special tax to the United States government as a retailer of or wholesale dealer in liquors, shall be received by the court and shall be deemed *prima facie* evidence of the commission of the offense with which the respondent stands charged.

Certain evidence deemed *prima facie* evidence of offense charged.

#### Buyer Disclosing on Seller to be Discharged.

SECT. 30. If any person charged with the offense of drunkenness shall, before or after conviction thereof, disclose the name of the person of whom he obtained the liquor whereby he became intoxicated, and whenever required shall testify fully concerning the same, he shall be thereupon discharged.

Drunkards discharged if they disclose and testify from whom they purchased liquor whereby they became intoxicated.

#### Not Excused from Testifying.

SECT. 31. No clerk, servant, or agent of any person accused of a violation of this act shall be excused from testifying against his principal for the reason that he may thereby criminate himself; but no testimony so given by him shall, in any prosecution, be used as evidence, either directly or indirectly, against him, nor shall he be thereafter prosecuted for any offense so disclosed by him.

Clerk, servant or agent of accused, must testify; effect of.

#### Appeal and Bonds.

SECT. 32. If upon proceedings had before a justice or municipal court for any offense mentioned in this chapter (which said justice or court has not jurisdiction to hear and determine) the accused shall plead not guilty, and the justice or court, on hearing the evidence, is of opinion that he is guilty of the offense charged, the justice or court shall order the offender to recognize, with two or more sufficient sureties, in a sum not less than two hundred nor

Interior court to bind over respondent, when; procedure thereon. Violation of bond.

more than four hundred dollars to appear at the next term of the superior court for the county at which a grand jury is required to be present, and to abide the order of the court, and in the meantime to be of good behavior, and not to violate any provision of this act and to stand committed till the order is complied with.

If any person giving bonds under this section, violates the conditions thereof, the recognizance shall be declared forfeited, and the court shall render judgment for the full amount of the recognizance, and whenever it is brought to the attention of the solicitor of the county in which the recognizance was entered into, he shall cause the recognizance to be forfeited at the first term thereafter and immediately cause proper proceedings to be had for the recovery of such forfeiture, and cause such proceedings to be prosecuted to final judgment and collection without indulgence or delay. Failure to do so shall be sufficient reason for his removal from office.

Plea of *nolo contendere*, not to be received in prosecutions under this act.

SECT. 33. The plea of *nolo contendere* shall not be received by the court in any prosecution or indictment for the sale, keeping for sale or being a common seller of intoxicating liquor.

Seizure and Forfeiture of Liquor.

Seizure and forfeiture of property used in illegal selling.

SECT. 34. Any intoxicating liquor kept for sale in violation of law, with the casks, bottles and vessels containing the same or used in the sale thereof, may be seized upon a warrant issued by a justice or police court, founded upon a complaint charging the same, and upon due proceedings may be adjudged forfeited; and the court shall make an order for the destruction of all liquor thus declared forfeited.

Relative may Forbid and Sue for Damage.

Relative or employer of person addicted to liquor, may forbid sale to such person, how; person violating the notice liable for damages. Married woman may sue to recover damages.

SECT. 35. The husband, wife, parent, child, brother, sister, or other near relative, guardian, or employer of any person who has the habit of drinking intoxicating liquor may give notice in writing, by him or her signed, to any person not to furnish intoxicating liquor to the person who has such habit; and if the person so notified shall furnish any intoxicating liquor, for a consideration or otherwise, to the person who has such habit, within one year after such notice, the person giving the notice may recover of the person so notified, in an action on the case, not less than fifty dollars nor more than five hundred dollars, which may be assessed by the jury as damages. Any married woman may bring such action in her own name, and recover the damages to her own use.

Seller Liable for Damages.

Party selling illegally, liable for damages done by purchaser while intoxicated.

SECT. 36. Any person who shall be injured in person, or property, or means of support, by an intoxicated person, or by a person under the influence of intoxicating liquor, or in consequence of the

intoxication, of any person or persons, shall have the right of action, in any court of competent jurisdiction, in his or her own name, against the person or persons, severally or jointly, who, by illegal selling, or giving away, or furnishing, intoxicating liquor, either personally or by his agent or servant, shall have caused the intoxication, or partial intoxication, wholly or in part, of the person or persons causing such injury, for all actual damages sustained, and for exemplary damages. Any husband, wife, parent, child, guardian or employer may initiate and maintain a suit under this act, for damages resulting from the traffic in intoxicating liquor as specified herein.

#### Owner of Premises Liable.

SECT. 37. If any person shall wilfully let or suffer any other person to use any premises which he owns or of which he has the control for the illegal sale of intoxicating liquor therein, he shall be fined not more than two hundred dollars.

Penalty for knowingly permitting use of premises for the illegal sale of liquor.

#### Drunkard not to Purchase Liquor.

SECT. 38. If any person shall be convicted of drunkenness, it shall be unlawful for him to purchase, or have in his possession, any intoxicating liquor within a period of twelve months after the time of such conviction, except for *bona fide* medicinal use, upon the advice and prescription of a physician duly registered in New Hampshire. Any intoxicating liquor in the possession of such person at the time of his conviction, or at any subsequent time during twelve months thereafter, except as obtained on a physician's prescription, as provided in this section, shall be subject to be forfeited, and the court having jurisdiction of the defendant, shall make an order for its destruction by an officer of the court. If any person shall be convicted of a violation of this act, he shall be punished by a fine of not more than ten dollars, and imprisonment in the house of correction for not less than thirty days nor more than ninety days for each offense.

Person convicted of drunkenness, prohibited from having liquor for one year thereafter, except for bona fide medicinal use, on doctor's advice. Penalty. Liquor subject to forfeiture.

#### The Time Limit Thirteen Months.

SECT. 39. No indictment shall be found for any violation of this act, unless the offense was committed within thirteen months before the first day of the court at which the offense is prosecuted.

No indictment after thirteen months.

#### Enforcement Officers—Prosecuting Agents.

SECT. 40. Each town shall at its annual meeting elect an agent to enforce the liquor laws within the limits of the town, who shall have all the powers and perform all the duties now pertaining to selectmen in such matters, including the right to file informations.

Prosecuting agents; powers and duties; accounts; salary; vacancy in, how filled.



as provided in chapter 81, Laws of 1899, and amendments thereto, and shall receive as compensation for his services three dollars per day for time actually spent in the performance of his duty, and his expenses. His accounts shall be audited, allowed and paid by the selectmen. If the town fails to elect a prosecuting agent the selectmen shall appoint a suitable person within one week after the date of said meeting, who shall hold office until another is chosen, unless sooner removed by the selectmen. Any vacancy occurring in the office, for any cause, shall be immediately filled by the selectmen for the unexpired term.

### Attorney-General and Other Officers.

Duties of attorney-general in enforcement of this law.

SECT. 41. The superior authority in the enforcement of laws prohibiting the sale of intoxicating liquor and the prosecution of offenders against such prohibitory laws under the provisions of this act shall be the attorney-general. It shall be his duty to have supervisory direction of all prosecutions authorized by this act and undertaken by the solicitors, and to take personal charge of the same when in his judgment it may be necessary or advisable. All persons engaged in the prosecution of offenses against the liquor laws shall be under his control.

### Duties of Solicitors.

Duties of county solicitor in enforcement of this law.

SECT. 42. It shall be the duty of the county solicitor in each county to have immediate charge of all such prosecutions. But, if the attorney-general is of the opinion that the public good requires a substitute for the solicitor in any prosecution in any county or that the service of more than one attorney is required in the prosecution of such offenses, he may employ and assign the solicitor of another county for such duty.

County solicitor not to be attorney for liquor interests.

SECT. 43. No county solicitor shall be an attorney, or act as attorney or counsel, directly or indirectly, for any person, association or corporation in any matter or proceeding, directly or indirectly relating to the traffic in intoxicating liquor or to violation of law concerning the sale or disposition thereof.

Solicitor to prosecute on complaint of prosecuting agent or reputable citizens. Such complaints confidential communications. Corrupt practice by solicitor, how charged.

SECT. 44. Prosecuting agents for towns, selectmen of towns and reputable citizens may make complaint in writing to the county solicitor and give information as to alleged violation of the liquor laws. The party complaining shall at the time of making such complaint furnish a copy thereof to the attorney-general and all complaints so made shall be treated as confidential communications. It shall thereupon be the duty of the attorney-general, through a solicitor, to investigate the complaint and if such solicitor finds sufficient cause for a prosecution he shall forthwith commence appro-

priate criminal proceedings and prosecute the same to final judgment. If in the opinion of any reputable citizen the solicitor of the county in which the offense occurs shall be guilty of any unreasonable delay or neglect, any unreasonable refusal to prosecute, any collusion with alleged offenders, any corrupt practices or wilful maladministration in respect to the duties prescribed by this act, or in respect to the duties to which he may have been assigned under the provisions of this act or other maladministration in his office in respect to the enforcement or non-enforcement of the liquor laws, a representation of the facts may be made to the attorney-general in writing by any person having knowledge or information thereof, and such representation shall be held confidential.

SECT. 45. Upon the receipt of the representation named in the last preceding section of this act the attorney-general shall forthwith investigate the same, and if it appears to be well founded, he shall proceed against such delinquent solicitor by complaint to the supreme court, and if upon said complaint such solicitor shall be found guilty of a breach of his duty as defined and provided in this act or any other existing law or acts he may be disbarred or removed from his office. Solicitor may be removed and disbarred.

SECT. 46. The compensation of a county solicitor when engaged upon assignments for the enforcement of the liquor laws, at other times and places than when such solicitor is engaged in the business of his office in term time in the superior court, relating to prosecutions of offenses against the liquor laws, shall be ten dollars per day and his actual expenses, to be audited by a justice of the superior court, unless such duty shall be assigned by said justice to the clerk of said court. The compensation provided by this act for services hereby required shall be in addition to the salaries now provided by law. In all cases it shall be paid by the county in which the offense arises. Extra compensation for solicitor in certain prosecutions under this law.

SECT. 47. The solicitor employed or assigned by the direction of the attorney-general in the prosecution of offenses against the liquor laws shall make an account of the time so spent and the actual expenses incurred, in such manner as to show where the services were rendered, the amount of time taken in such service at each place and the cases to which the services and expenses related. A copy of the account with an affidavit stating that the services were actually rendered at the times and places, in the cases and for the purposes stated, that they were done and incurred in good faith in the public business, and exclusively in the business of enforcing the liquor laws, shall be forwarded to the attorney-general at the end of each month. No payments shall be made to any such solicitor for services authorized by this act, other than services during the time of the terms of the superior court, unless statements of his account shall have been filed as aforesaid. Procedure for approval of bill for extra compensation.

Sheriff and deputies may be required to investigate alleged violations of this act. Compensation.

SECT. 48. Sheriffs and deputy sheriffs may be required to investigate persons and places which are the subject of complaint, under the direction of the attorney-general, or a county solicitor, and to advise such law officer as to the result of the examination. Sheriffs and deputy sheriffs performing the services above specified shall have the same allowance as now provided for attendance upon the terms of the superior court, and such allowance for extraordinary expenses as may be approved and allowed by either of the law officers aforesaid.

Certain officers charged with duty of prosecuting violations of this act. Penalty for neglect. Fines imposed in prosecutions by town or city officials belong to town or city.

SECT. 49. Police commissioners, county and city solicitors, sheriffs, police officers and prosecuting agents of towns shall at the expense of the city, county or town, prosecute or cause to be prosecuted every person guilty of any violations of the provisions of this act or amendments thereto, or of any laws governing the sale of liquor, hereafter enacted, of which they can obtain reasonable proof, and if they neglect or refuse to perform their duties, as specified herein, they shall be fined or forfeit three hundred dollars for each and every neglect or be imprisoned in the house of correction for not more than thirty days or both, and their neglect and refusal shall be good ground for their removal from office, as provided by law. But this provision shall not be construed so as to prevent the town or city, by its officers, or any person from making a complaint or instituting and carrying on prosecutions for such offenses; and such complainant, if a town or city, by its officers, shall be entitled to all fines imposed and collected for said violation. If any of the officers mentioned in this section neglects for two weeks after being furnished with a written notice under oath of a violation of the law relative to the sale or keeping for sale of intoxicating liquors, with the names of the witnesses or statement of other sources of proof, to institute proceedings thereon, any person may thereafter make complaint and shall be entitled to all fines imposed and collected for said violation.

#### State Commissioner of Law Enforcement.

State commissioner of law enforcement; appointment; jurisdiction; duties; compensation. Fines in cases he prosecutes to be paid to state treasurer.

SECT. 50. The governor shall appoint a state commissioner of law enforcement and fix his compensation to be paid by the state. The duties of the state commissioner of law enforcement shall be, under the attorney-general, to secure the enforcement of the laws in reference to intoxicating liquor. He shall have all the powers of the county solicitor in any county, in reference to the laws concerning intoxicating liquor, and the enforcement of such laws. He shall have jurisdiction in the enforcement of such laws, either in co-operation with, or independently of, the other officers of any county, city or town. With the consent of the governor and attorney-general, the state commissioner of law enforcement may employ such deputies and other agents as may be necessary to

secure the efficient enforcement of the laws in relation to intoxicating liquor. The compensation and personal expenses of the commissioner and the expenses for deputies and agents shall be paid by the state, on the warrant of the governor. When prosecution for the violation of the laws in reference to intoxicating liquor is begun and carried on by the state commissioner of law enforcement, all moneys collected for fines and costs shall be paid to the state treasurer.

SECT. 51. Nothing in this act shall be so construed as to relieve any officer from any duties required by existing law as to investigations and prosecutions for violations of criminal laws relating to illegal sales of intoxicating liquors, nor to deprive other persons of the right to institute and carry on prosecutions of offenses against such laws in cases where that right is recognized by existing law.

Act not to be interpreted as limiting existing power or duty of officers of the law to prosecute.

SECT. 52. The attorney-general may employ such clerical assistance, not exceeding in amount one thousand, two hundred dollars in any year as he may find necessary in enforcing the provisions of this act.

Attorney-general allowed clerical assistance.

#### Manufacture Prohibited.

SECT. 53. The manufacture of intoxicating liquor for beverage use is hereby prohibited. If any person shall violate the provisions of this section, he shall be fined not less than fifty dollars (\$50) nor more than one hundred dollars (\$100), and shall also be imprisoned in the county jail or house of correction not less than thirty days nor more than ninety days for the first offense; and for a second, or any subsequent offense, he shall be fined not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300), and shall also be imprisoned in the county jail or house of correction not less than three months nor more than twelve months. All of the provisions of this act for the enforcement of the laws prohibiting the unlawful sale of intoxicating liquor shall be applicable to the enforcement of this section.

Manufacture of intoxicating liquor for beverage use prohibited. Penalty.

#### Search Warrant.

SECT. 54. Whenever a search warrant is made out requiring the officer to search any place therein described, under chapter 251 of the Public Statutes, the warrant may direct said officer to search the persons found therein and named in said warrant, for the articles called for in the search warrant.

Search warrant, may contain what.

SECT. 55. A search warrant made out to search for intoxicating liquors under chapter 251 of the Public Statutes may require the officers to search any person therein named or any wagon or other vehicle.

Search warrant may direct search of person or any vehicle.



### Transportation of Liquor.

Transportation of liquor for delivery in this state regulated; records of such; packages to be marked so as to disclose contents.

SECT. 56. Every person, partnership or corporation conducting a transportation or express business, receiving liquor for delivery to any place in this state, or actually delivering any liquor to any person in this state, shall keep a book or books, and plainly enter therein the date of the reception by him, them or it, of each vessel or package of such liquor so received for transportation and a correct transcript of the marks and directions thereon and the date of its delivery by him, them or it; and the name of the person to whom delivered shall be signed to the same as a receipt; and said books shall at all times be open to the inspection of the attorney-general of the state, the solicitor and sheriff of the county, the chief of police of the city or town, and the selectmen and prosecuting agent of the town in which said liquor is delivered, and of any other officer charged by this act with any duties respecting its enforcement. No such person, partnership or corporation so conducting a transportation or express business shall knowingly receive or deliver any such vessel or package containing liquor which does not contain the labels or marks prescribed in this act, and any person, partnership or corporation receiving liquors as aforesaid and failing to keep the book and records as herein provided, shall be punished for each offense by a fine of not less than one hundred dollars.

Liquor shipped illegally may be forfeited.

SECT. 57. Any liquor transported in violation of the foregoing section, or liquor transported according to said section but addressed or marked to a fictitious person or fictitious name or to a person unknown or who cannot be found, or liquor shipped C. O. D., together with the casks, bottles and vessels containing the same, may be seized wherever found, whether in transit or storage, and shall be destroyed as provided in this act, for the destruction of intoxicating liquor kept for sale in violation of law.

Penalty for illegal shipments.

SECT. 58. Any person, partnership or corporation delivering or offering for delivery to any person, partnership or corporation conducting a transportation business, any liquor for delivery in a city or town, with the vessels or packages containing such liquor not marked in accordance with the provisions of this act, shall be punished by a fine of not less than one hundred dollars.

Persons exempt.

SECT. 59. The provisions of this act shall not apply to scientific laboratories, chemists, manufacturing pharmacists, hospitals, physicians, and dental surgeons having alcohol and other alcoholic liquors for strictly scientific, manufacturing and medicinal use, but not for sale; nor to denatured alcohol to be used for mechanical purposes.

Definition of Liquor.

Public Statutes, Chapter 2, Section 33.

SECT. 60. By the words spirit, liquor, spirituous liquor, intoxicating liquor, as used in this act shall be intended all distilled liquors, or rectified spirits; vinous, fermented, brewed and malt liquors; and any beverage by whatever name called, containing more than one per cent. of alcohol, by volume, at sixty degrees Fahrenheit; and any beverage any part of which is intoxicating.

SECT. 61. Chapter 112 of the Public Statutes and all acts and parts of acts inconsistent with this act, are hereby repealed, and this act shall take effect May 1, 1918.

Definition of spirituous and intoxicating liquor, etc.

Specific repeal of P. S., ch. 112, and amendments, and general repeal of inconsistent acts. Takes effect May 1, 1918.

[Approved April 17, 1917.]

CHAPTER 148.

AN ACT IN AMENDMENT OF CHAPTER 163, LAWS OF 1915, RELATING TO THE REFORESTING OF WASTE LAND.

SECTION

1. Grantor of land conveyed to state for forestry; entitled to reconveyance, on specified terms.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 2 of chapter 163, Laws of 1915, is hereby amended by inserting after the word "donors" in line 11 the following: and said donor or donors shall have the benefit derived from the sale of forest products from any tract during said ten year period; further amend said section by striking out the words "be required to reforest" in line 17 and inserting in place thereof the following accept a deed for; further amend said section by striking out the words "of any tract acquired under this act in any one year" in line 18 and inserting in place thereof the following: from any person, firm or corporation under the provisions of this section, except that more than twenty-five acres may be taken if such taking simplifies the transfer, survey or establishment of boundaries. Said section 2 is further amended by striking out all of said section after the word "treasury," in line 22, so that said section as amended shall read as follows: SECT. 2. Whenever any person or persons shall deed to the state any tract of land adapted for forest growth, so that no cost of purchase shall accrue

Grantor of land conveyed to state for forestry; entitled to reconveyance, on specified terms.

to the state, the forestry commission is authorized to accept and hold such tracts in the name of the state, and to reforest, protect and manage them subject to the limitations of this section. The donors of such land, or their heirs and assigns, shall have the right, within ten years from the date of conveyance, to purchase it from the state at the cost of improvements with interest at four per cent. per annum, and the secretary of state shall, upon the recommendation of the forestry commission, convey such land to said donor or donors, and said donor or donors shall have the benefit of any profit derived from the sale of forest products from any tract during said ten year period. If the donor, or his heirs or assigns, shall not acquire the land within ten years from the date of conveyance, such land may be sold, or the wood and timber thereon may be sold, by the forestry commission, with the approval of the governor and council; *provided*, that such sale shall be advertised and awarded to the highest bidder, and the state may reject any such bids. The state shall not accept a deed for more than twenty-five acres from any person, firm or corporation under the provisions of this section, except that more than twenty-five acres may be taken if such taking simplifies the transfer, survey or establishment of boundaries. Any forest fire on such tracts shall be extinguished as provided in chapter 128, Laws of 1909, and amendments thereto. All revenue from the sale of such tracts, or of the wood and timber thereon, shall revert to the state treasury.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 18, 1917.]

CHAPTER 149.

AN ACT RELATING TO OFFICIAL SEALS FOR TOWNS.

SECTION

1. Towns to have official seal, bearing name and date of incorporation. Documents issued by town clerk to be under seal.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Towns to have official seal, bearing name and date of incorporation. Documents issued

SECTION 1. Every town shall provide for the use of its town clerk an official seal, bearing the name of the town and the date of its incorporation, and of such general design as may be approved

by the selectmen thereof. Papers issued from the office of the town clerk may be attested therewith.

by town clerk to be under seal.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]

CHAPTER 150.

AN ACT TO REGULATE THE STORAGE, DISTRIBUTION AND SALE OF COLD STORAGE FOOD.

SECTION

- 1. Terms "cold storage"; "cold storage or refrigerating warehouse"; "food," defined.
- 2. Cold storage warehouse to be licensed by state board of health. Fee. Examination of plant. Quarterly report by owner to state board required.
- 3. Inspections of warehouse and contents by state board.
- 4. Cold storage food to be labelled, how.

SECTION

- 5. Food may be kept in cold storage, how long.
- 6. Food once released, not to be returned to cold storage.
- 7. State board of health may make regulations regarding cold storage business. Penalty for violating.
- 8. License fees and fines for violating this act applied to enforcement of the act.
- 9. Takes effect Sept. 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The term cold storage, as used in this act, shall be construed to mean the storage of articles of food at or below a temperature of forty degrees Fahrenheit in cold storage or refrigerating warehouses.

Terms "cold storage"; "cold storage or refrigerating warehouse"; "food," defined.

The term cold storage or refrigerating warehouse, as used in this act, shall be construed to mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration, or a place otherwise artificially cooled, in which articles of food are stored for thirty days or more at a temperature of forty degrees Fahrenheit or below.

The term article of food, as used in this act, shall be interpreted to include fresh meat, fresh meat products except in process of manufacture, fresh food fish, game, poultry, eggs and butter.

SECT. 2. No person, firm or corporation shall operate a cold storage or refrigerating warehouse without a license issued by the state board of health. Any person, firm or corporation desiring such a license may make written application to the board, stating the location of its plant or plants. On receipt of the application the board shall cause an examination to be made of the sanitary condition of any such plant, and if it is found to be in a sanitary condition and otherwise properly equipped for the business of cold

Cold storage warehouse to be licensed by state board of health. Fee. Examination of plant. Quarterly report by owner to state board required.



storage, the board shall cause a license to be issued authorizing the applicant to operate a cold storage or refrigerating warehouse for the period of one year. The license shall be issued upon payment by the applicant of a license fee of ten dollars. In case any warehouse, licensed under the provisions of this section or any part thereof, shall be deemed by the state board of health to be conducted in an unsanitary manner, it shall be the duty of the board to close such warehouse or part thereof, until it shall be put in a sanitary condition, and the board shall have power also to suspend the license in case the required changes are not made within a reasonable time. Every such licensee shall furthermore submit a quarterly report to the state board of health on a printed form to be provided by the board. The report shall be filed on or before the twenty-fifth day of January, April, July and October of each year, and it shall state the quantities of articles of food placed in cold storage during the three months preceding the first day of the said month in which the report is filed.

Inspections of  
warehouse and  
contents by state  
board.

SECT. 3. No article of food intended for human consumption shall be placed in cold storage if deemed by the state board of health to be diseased, tainted or otherwise unwholesome.

It shall be the duty of the state board of health to inspect and supervise all cold storage or refrigerating warehouses in this state, and to make such inspection of the entry of articles of food therein as the board may deem necessary to secure proper enforcement of this act. The members of the board, or its duly authorized agents, inspectors, or employees, shall be permitted access to such establishments and all parts thereof at all reasonable times for purposes of inspection and enforcement of the provisions of this act, or of any other provision of law relating to food products. The board may also appoint and designate such person or persons as it deems qualified to make the inspection herein required.

Cold storage food  
to be labelled,  
how.

SECT. 4. Pending retail sale, all cold stored foods shall be plainly marked with both the original date of entry into and date of withdrawal from cold storage, together with the necessary distinguishing words. Cold stored articles of food received from outside the state shall be similarly marked with the original date of entry into cold storage and date of withdrawal therefrom. In the case of cold stored poultry and eggs which have been removed from the original containers and placed upon display, there shall be plainly exhibited in connection therewith a sign, or placard, giving the above required information, in such manner as the state board of health may direct. All retail packages of cold stored poultry and eggs, as delivered to the purchaser, shall be plainly marked with the words: Cold Stored or Cold Storage. Whenever requested, the dealer shall inform the purchaser as to the dates of original entry and withdrawal. And it shall be unlawful to represent or advertise, as fresh goods, cold stored articles of food.

SECT. 5. No article of food shall be held in cold storage for a longer period than twelve calendar months, except with the consent of the state board of health as hereinafter provided. The state board of health may, upon application, grant permission to extend the period of storage beyond twelve months for a particular consignment of goods, if the goods in question are found, upon examination, to be in proper condition for further storage at the end of twelve months. The length of time for which storage is allowed shall be specified in the order granting permission. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the board, the kind and the amount of goods for which the storage period was extended, and the length of time for which the continuance was granted, shall be included in the annual report of the board.

Food may be kept in cold storage, how long.

SECT. 6. It shall be unlawful to return to cold storage any article of food that has once been released from such storage for the purpose of placing it on the market for sale to consumers, but nothing in this section shall be construed to prevent the transfer of goods from one cold storage or refrigerating warehouse to another, *provided* that such transfer is not made for the purpose of evading any provision in this act.

Food once released, not to be returned to cold storage.

SECT. 7. The state board of health is empowered to make all necessary rules and regulations for the enforcement of this act, including rules and regulations with respect to the use of marks, tags, labels and signs. Any person, firm, company or corporation violating any provision of this act, or any lawful orders or regulations of the state board of health, duly made as herein provided, or whoever hinders or obstructs any inspector in the pursuit of his lawful duty, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five nor more than two hundred dollars, or by imprisonment not exceeding sixty days, or by both such fine and imprisonment.

State board of health may make regulations regarding cold storage business. Penalty for violating.

SECT. 8. All license fees and fines collected under the provisions of this act shall be paid to the secretary of the state board of health, who shall deposit such money with the state treasurer to the credit of a fund to be used toward carrying out the provisions of this act, to be drawn against under the approval of the governor and council.

License fees and fines for violating this act applied to enforcement of the act.

SECT. 9. This act shall take effect September 1, 1917.

Takes effect Sept. 1, 1917.

[Approved April 18, 1917.]

CHAPTER 151.

AN ACT RELATING TO EXAMINERS OF APPLICANTS FOR LICENSES TO OPERATE MOTOR VEHICLES.

SECTION

1. Commissioner of motor vehicles may appoint examiners of applicants for operator's license.
2. Powers of examiners, including power to serve legal process and arrest.
3. Report by examiners.

SECTION

4. Compensation.
5. Salaries and expenses to be paid from receipts of department of motor vehicles.
6. Special repeal; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Commissioner of motor vehicles may appoint examiners of applicants for operator's license.

SECTION 1. The commissioner of motor vehicles may from time to time, as he shall deem it expedient, appoint suitable persons as examiners of applicants for licenses to operate motor vehicles. The words motor vehicles for the purposes of this act shall be construed in the same manner as is defined in chapter 133 of the Laws of 1911 and amendments thereto. Such examiners shall hold office during the pleasure of the commissioner, and may be removed by him at any time. They shall be under his direction and supervision, and shall act and incur expense only under his direction. They shall be exempt from liability for acts of other persons as provided in section 9, chapter 133 of the Laws of 1911 and amendments thereto.

Powers of examiners, including power to serve legal process and arrest.

SECT. 2. Such examiners shall, under the direction of the commissioner, have power to enforce all laws relating to motor vehicles and all rules and regulations in relation thereto, and may make arrests for violations thereof. They shall also have in motor vehicle matters power to serve criminal process and to require aid in executing the duties of their office and shall be entitled to the officers' fees for such service. They may arrest, without warrant and on view, in any part of the state, a person found violating a provision of chapter 133 of the Laws of 1911 and amendments thereto, take such person before a magistrate having jurisdiction for trial, and detain such person in custody at the expense of the state until opportunity is given to notify a prosecuting officer, if necessary, who shall forthwith prosecute such offender. The only compensation allowed such commissioners under this section shall be the fees allowed the sheriffs for serving criminal process and three dollars (\$3) per day for attending court, all of which shall be taxed as costs.

Report by examiners.

SECT. 3. The examiners shall make such detailed reports as may be required by the commissioner. They shall report all violations and prosecutions, under chapter 133 of session Laws of 1911 and amendments thereto, to the commissioner immediately.

SECT. 4. The compensation of the examiners shall be fixed by Compensation.  
the commissioner of motor vehicles.

SECT. 5. All salaries and expense incurred by the commissioner Salaries and ex-  
to carry into effect the provisions of this act shall be paid out of penses to be paid  
the receipts of the department of motor vehicles upon warrant of from receipts of  
the governor. department of  
motor vehicles.

SECT. 6. So much of chapter 133 of the Laws of 1911 and Special repeal;  
amendments thereto as is inconsistent with the provisions of this takes effect on  
act is hereby repealed, and this act shall take effect upon its passage.  
passage.

[Approved April 18, 1917.]

## CHAPTER 152.

AN ACT IN AMENDMENT OF SECTION 14 OF CHAPTER 93 OF THE PUBLIC  
STATUTES, AS AMENDED BY CHAPTER 61, LAWS OF 1901, CHAPTER 13,  
LAWS OF 1903, CHAPTER 139, LAWS OF 1911, CHAPTER 221, LAWS OF  
1913, RELATING TO ATTENDANCE OF CHILDREN AT SCHOOL.

SECTION 1. Exemption of children over fourteen from necessity of attending school.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Amend section 14 of chapter 93 of the Public Stat- Exemption of  
utes, as amended by chapter 61, Laws of 1901, chapter 13, Laws of children over  
1903, chapter 139, Laws of 1911, and chapter 221, Laws of 1913, fourteen from  
by adding at the end thereof the following: and *provided further* necessity of  
that whenever it shall appear to the superintendent of schools, or, attending school.  
if there is no superintendent, any member of the school board, that  
the educational welfare of any child above the age of fourteen will  
be best served by the withdrawal of such child from school, then  
the superintendent or member of the school board shall forward  
to the superintendent of public instruction a statement of the case  
with such evidence as the latter shall require with the recommenda-  
tion that the child be exempted from further attendance at school,  
and the superintendent of public instruction, after such investiga-  
tion as he shall deem necessary, if he shall find that the facts war-  
rant, shall forthwith make an order exempting such child from  
attendance as recommended, so that said section as amended shall  
read as follows:

SECT. 14. Every person having the custody and control of a  
child between the ages of eight and fourteen years, or of a child



under the age of sixteen years unless such child shall have completed the course of study prescribed for the elementary schools, residing in a school district in which a public school is annually taught, shall cause such child to attend the public school all the time such school is in session, unless the child shall be excused by the school board of the district because his physical or mental condition is such as to prevent his attendance at school for the period required, or because he was instructed in the English language in a private school approved by the school board for a number of weeks equal to that in which the public schools were in session in the common English branches, or, having acquired those branches, in other more advanced studies. Any person who does not comply with the requirements of this section shall be fined ten dollars for the first offense and twenty dollars for every subsequent offense, for the use of the district; *provided, however*, that any person having the custody and control of a child may apply to the state superintendent of public instruction for relief whenever such person deems it to be against the moral or physical welfare of such child to attend the particular school required by law, and thereupon, after notice to the school board of the district in which such child is required to attend school, the state superintendent of public instruction may order such child to attend another school in the same district if such school is available; may order such child to attend school in another district, in which case the district in which such child resides shall pay to the district in which such child attends school tuition not to exceed the average cost per child of instruction for the regularly employed teachers and the cost of text-books, supplies and apparatus for such time as such attendance shall continue; may permit such child to withdraw from school attendance for such time as he may deem necessary or proper; or make such other order or orders with respect to the attendance of such child at school as in his judgment the circumstances require; and *provided further* that whenever it shall appear to the superintendent of schools, or, if there is no superintendent, any member of the school board, that the educational welfare of any child above the age of fourteen will be best served by the withdrawal of such child from school, then the superintendent or member of the school board shall forward to the superintendent of public instruction a statement of the case with such evidence as the latter shall require with the recommendation that the child be exempted from further attendance at school. and the superintendent of public instruction, after such investigation as he shall deem necessary, if he shall find that the facts warrant, shall forthwith make an order exempting such child from attendance as recommended.

[Approved April 18, 1917.]

## CHAPTER 153.

AN ACT TO COMPENSATE OWNERS FOR DOMESTIC LIVE-STOCK KILLED OR WOUNDED IN THE OPEN SEASON FOR DEER BY HUNTERS IN EACH YEAR.

## SECTION

1. Fish and game fund chargeable with the damage to stock killed by deer hunters. Value, how assessed.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. For all domestic live-stock killed or wounded by hunters for deer, in the open season for deer, in any county, the state shall compensate the owners thereof. The amount of damages in each case shall be assessed by the commissioner of agriculture or under his direction, and said sum, or sums, shall be a charge upon the fish and game fund and paid therefrom.

Fish and game fund chargeable with the damage to stock killed by deer hunters. Value, how assessed.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]

## CHAPTER 154.

AN ACT RELATIVE TO OBSTRUCTIONS IN STATE HIGHWAYS.

## SECTION

1. State highway department authorized to remove obstructions. Procedure in certain cases.

## SECTION

2. Further procedure. Expense, how borne.
3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Authority is hereby given the state highway department to remove all obstructions in state roads, trunk line roads or state aid roads, but fences and the poles used by telephone, telegraph or other public utilities shall not be removed until ten days' notice in writing of the intention to remove the same has been given to the owner or occupant of the land enclosed by such fence, or to his agent, or to the owner of the utility maintaining such poles. Such notice may be served by any agent of the state highway department on such owner, occupant or agent, or on such utility or any agent or officer thereof. All such fences and poles

State highway department authorized to remove obstructions. Procedure in certain cases.

shall be removed within the time designated, and if not removed by the date affixed in such notice, the same may be forthwith removed by said department. The term public utilities as used in this act shall include railroads and street railways.

Further procedure. Expense, how borne.

SECT. 2. The notice of removal of any such pole shall designate the location in the highway to which the same shall be removed and such notice, together with affidavit or acceptance of service thereof, shall be recorded in the office of the clerk of the city or town in which such pole is located. The notice shall take effect when the same, with such affidavit or acceptance of service endorsed thereon, shall be thus recorded, and the ten days shall run from the date of such record. The location defined in such notice of any pole so removed, together with the wires thereon, shall be of the same validity as if located under the provisions of chapter 81 of the Public Statutes, as amended by chapters 16, 81 and 92, Laws of 1897, and chapter 81, Laws of 1903. Any removal made in compliance with this act shall be at the expense of the owner.

Repealing clause; takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 18, 1917.]

CHAPTER 155.

AN ACT PROVIDING FOR A CO-OPERATIVE SURVEY OF THE BOUNDARY LINE BETWEEN THE STATE OF NEW HAMPSHIRE AND THE STATE OF MAINE.

SECTION

1. Existing line to be surveyed and additional monuments erected.
2. Surveyor to keep record and prepare map of work for use of state, and make report on or before Dec. 1, 1918.

SECTION

3. \$3,000 appropriated for expense, when Maine appropriates like amount.
4. Repealing clause; takes effect on passage.

Existing line to be surveyed and additional monuments erected.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. As soon as practicable after the passage of this act, the governor, by and with the advice and consent of the council, shall appoint a surveyor, who shall be a civil engineer and who shall, under the direction of the governor and council, in conjunction with a surveyor to be appointed by the governor of the state of Maine, perambulate and survey the dividing line between the state of New Hampshire and the state of Maine, from the ancient

bound at the outlet of East Pond, at the head of the Salmon Falls river, to the northern terminus on the Canada line; examine and identify as far as possible all existing monuments placed upon the line by former surveyors; erect or cause to be erected such additional permanent monuments as may be necessary to plainly mark the line throughout its entire length, and said monuments, in addition to such words, letters and dates thereon, as may be deemed necessary, shall have the elevations above sea-level indicated upon them.

SECT. 2. Said surveyor shall make such other surveys with reference to said line, and shall keep such records of his work and prepare such maps, for the use of the state, as the governor and council may direct, and shall on or before December 1, 1918, render to the governor and council a report covering such details of the work as they may require, who shall submit the same to the legislature at its next session, with such recommendations as they may think proper.

Surveyor to keep record and prepare map of work for use of state, and make report on or before Dec. 1, 1918.

SECT. 3. The sum of three thousand dollars is hereby appropriated to be used for said survey on the part of the state of New Hampshire when a like sum shall have been appropriated by the state of Maine to defray its part of the expenses of said joint survey and markings.

\$3,000 appropriated for expense, when Maine appropriates like amount.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved April 18, 1917.]

CHAPTER 156.

AN ACT RELATING TO THE QUALITY OF MILK AND PROVIDING FOR STANDARDIZED MILK.

SECTION

- 1. Adulteration of milk, skim-milk and cream prohibited. Standards of same established. Exception. Penalty.
- 2. Standardized milk may be sold.
- 3. Standardized milk defined.

SECTION

- 4. Dealers in standardized milk to be licensed annually by state board of health.
- 5. Receptacle for standardized milk, how labeled.
- 6. Penalty.
- 7. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 17, chapter 127 of the Public Statutes, as amended by section 2, chapter 107, Laws of 1901, and section 1, chapter 71, Laws of 1911, is hereby amended by striking out the

Adulteration of milk, skim-milk and cream prohibited. Standards of same



established.  
Exception.  
Penalty.

entire section and inserting in place thereof a new section to read as follows:

SECT. 17. If any person shall adulterate milk, skim-milk or cream with water or otherwise to be sold, or shall sell or offer for sale, or have in possession with intent to sell, any adulterated or unwholesome milk, skim-milk or cream containing any coloring matter or preservative, or any milk produced from sick or diseased cows, or cows fed upon any substance which may be deleterious to the quality of milk, skim-milk or cream, or shall sell or offer for sale, or have in possession with intent to sell as milk, any milk from which the cream or a part thereof has been removed, he shall be fined not less than twenty-five nor more than two hundred dollars, or imprisoned not more than sixty days, or both. If upon analysis any milk shall be found to contain less than eleven and eighty-five one hundredths per cent. of milk solids, or less than three and thirty-five one hundredths per cent. of butter fat, or more than five hundred thousand bacteria per cubic centimeter, at the time of sale, or in the case of skim-milk, less than eight and one-half per cent. of milk solids exclusive of fat, or in the case of cream, less than eighteen per cent. of butter fat, or in the cases of butter and renovated butter, less than eighty per cent. of butter fat, or more than sixteen per cent. of water, such product shall not be deemed as of standard quality; and the sale, offering for sale or having in possession with intent to sell, by any person, firm or corporation, of milk, skim-milk, cream, butter or renovated butter which fails to conform to the requirements herein specified, shall be punished by a fine of ten dollars. *Provided*, that pure natural milk which shall contain less than the amounts of solids and fats herein specified may be sold if every can, bottle, or other container in which such milk is shipped, sold or delivered, at wholesale or retail, is plainly labeled so as to show its guaranteed composition.

Standardized  
milk may be sold.

SECT. 2. Nothing contained in section 17, chapter 127 of the Public Statutes as amended, shall be construed as prohibiting the production or sale of so-called standardized milk as hereinafter defined and conditioned.

Standardized  
milk defined.

SECT. 3. Standardized milk is hereby defined as the product resulting from the blending of milk or skim-milk with clean, fresh, natural cream, under proper sanitary conditions, and in such manner as to afford a milk of a certain definite composition. Such milk shall conform in all respects to the standards of quality and purity as provided in section 17 of chapter 127 of the Public Statutes, and amendments thereto, as amended by section 1 of this act.

Dealers in stand-  
ardized milk to be  
licensed annually  
by state board of  
health.

SECT. 4. Every person, firm or corporation who desires to produce a standardized milk shall make application to the state board of health for a license to this end, to be issued by the said board at its discretion, limited to a period of one year, and revokable for cause.

SECT. 5. Every can, bottle or other container in which standardized milk is shipped, sold or delivered, at wholesale or retail, shall bear a label or tag giving the name of the producer and containing the words: Standardized to.....per cent. butter fat (stating the percentage of butter fat). Receptacle for standardized milk, how labeled.

SECT. 6. Any person, firm or corporation who shall standardize milk as herein provided without first having procured a license so to do, or following revocation of his license, or who shall ship, sell or deliver any such milk not truthfully labeled as provided in section 4 [5], or any milk which has thus been reduced below the legal standard of quality, shall be fined not less than twenty-five nor more than two hundred dollars, or be imprisoned not more than sixty days, or both. Penalty.

SECT. 7. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]

## CHAPTER 157.

AN ACT TO AMEND "AN ACT TO PROVIDE FOR THE INCORPORATION OF INSURANCE COMPANIES" APPROVED MARCH 15, 1917.\*

SECTION 1. Insurance against damage by bombardment, legalized.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend subdivision 1 of section 1 of said act by inserting between the words "fly-wheels" and "breakage" the word Insurance against damage by bombardment, legalized. bombardment; so that said subdivision as amended shall read as follows: 1. On property and rents and use and occupancy, against loss or damage by fire, lightning, earthquake, hail or other action of the elements; explosion (other than the explosion of steam boilers or fly-wheels); bombardment; breakage or leakage of apparatus erected for extinguishing fires and on such apparatus against loss or damage by accidental injury and against liability of the insured for loss or damage to property caused thereby.

[Approved April 18, 1917.]

\* Chapter 80, *ante*.

CHAPTER 158.

AN ACT RELATIVE TO THE UNUSED BALANCES OF MONEY APPROPRIATED FOR THE BENEFIT OF SOLDIERS AND SAILORS WHO SERVED IN THE WAR WITH SPAIN, AND OF MONEY TO BE RAISED FOR THE BENEFIT OF MEMBERS OF THE NATIONAL GUARD WHO SERVED ON THE MEXICAN BORDER.

SECTION	SECTION
1. Unexpended balances to be returned to and treated as current funds. Payment of unpaid claims regulated.	2. Surplus to be treated as money not appropriated.
	3. Takes effect August 31, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Unexpended balances to be returned to and treated as current funds. Payment of unpaid claims regulated.

SECTION 1. That the balance of the money appropriated by chapter 143, Laws of 1899 and chapter 140, Laws of 1901, for the benefit of soldiers and sailors who served in the war with Spain, now held by the treasurer in a separate account, shall be added to the current funds in the treasury and dealt with as money not appropriated, and shall not be carried as a liability upon the treasurer's books. *Provided, however,* that upon satisfactory evidence that any person, claiming an amount which appears upon the pay roll to be due to any soldier or sailor and unpaid, is entitled to receive the same, the treasurer may, without any further act of the legislature, pay such claim and enter such payment upon the pay roll, and the governor is hereby authorized to draw his warrant for the amount upon any money in the treasury not otherwise appropriated.

Surplus to be treated as money not appropriated.

SECT. 2. That any surplus of the money which shall be raised under the provisions of an act to provide for the recognition of the services of the New Hampshire National Guard on the Mexican border, approved February 27, 1917,\* above the amount required for the purposes of that act, shall be available for any purpose as money not appropriated.

Takes effect August 31, 1917.

SECT. 3. This act shall take effect on August 31, 1917.

[Approved April 18, 1917.]

\* See chapter 38, ante.

## CHAPTER 159.

AN ACT IN AMENDMENT OF CHAPTER 95, LAWS OF 1911, RELATING TO  
PORTABLE STEAM SAWMILLS.

## SECTION

1. Portable steam sawmills to be equipped with spark arrester, and slash removed from vicinity, when. Operator to notify forestry commission when mill removed from town to town.

## SECTION

2. Penalty.
3. Takes effect July 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend chapter 95, Laws of 1911, by striking out all of section 1 and substituting in place thereof the following section: SECTION 1. No person, except when the ground is covered with snow, shall operate any portable steam mill unless the same is provided with a suitable spark arrester, approved by the state forester, and unless the slash caused by wood and timber cutting shall have been removed for a distance not less than one hundred feet from said mill, when required to do so by the state forester or his authorized agent. Such approval of a spark arrester shall be in writing signed by the state forester, and said approval may be revoked by him in the same manner. When any such mill is moved from one town or city to another said mill shall not be operated until the owner or operator thereof has notified the forestry commission, or the district chief or the town forest fire warden of the new location of said mill.

SECT. 2. Amend by striking out all of section 3 and substituting in place thereof the following: SECT. 3. Any person violating any of the provisions of this act shall be fined not less than fifty dollars and not more than one hundred dollars.

SECT. 3. This act shall take effect July 1, 1917.

Takes effect July 1, 1917.

[Approved April 18, 1917.]



CHAPTER 160.

AN ACT TO PROVIDE FOR INVESTIGATION BY THE ATTORNEY-GENERAL  
OF THE RISE IN PRICES OF THE NECESSARIES OF LIFE.

SECTION

1. On petition of 100 voters, attorney-general to investigate complaint of rise in prices of necessities. Process. Penalty.

SECTION

2. Necessaries of life, not to include what. Act not to be construed to prevent effort to raise wages.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

On petition of 100 voters, attorney-general to investigate complaint of rise in prices of necessities. Process. Penalty.

SECTION 1. If, at any time, the price of any of the necessities of life shall rise in price, the attorney-general shall, upon petition of one hundred registered voters of the state of New Hampshire, investigate the cause of such rise by instituting judicial proceedings, and is hereby empowered to summon persons with papers, and if such rise is found to be unreasonable or arbitrary, the person, firm, corporation or association, or one or more of these, responsible therefor shall be fined not less than one thousand dollars or be imprisoned for not less than one year, or shall be punished by both such fine and imprisonment.

Necessaries of life, not to include what. Act not to be construed to prevent effort to raise wages.

SECT. 2. For the purpose of this act work or labor performed upon a farm by the owners thereof or by other persons, and the fruits of such labor and labor of hand or brain performed in factories or elsewhere by persons who are proletarians or near-proletarians shall not be construed as a necessary of life; nor shall any attempt by an individual or combination of individuals who are primary wealth producers to raise the wages or compensation received in a gainful occupation, or to better their conditions of employment, be construed as raising or attempting to raise the price of necessities of life.

[Approved April 18, 1917.]

## CHAPTER 161.

AN ACT IN AMENDMENT OF SECTION 6, CHAPTER 155, LAWS OF 1913,  
RELATING TO THE CLEARING OF LUMBER SLASH ALONG HIGHWAYS  
AS AMENDED BY SECTION 1, CHAPTER 100, LAWS OF 1915.

## SECTION

1. Slash to be removed from railroad,  
highway, etc., certain distance.  
Distinction as to winter operations.  
Forestry commission to enforce.  
Penalty. Civil liability.

## SECTION

2. Takes effect July 1, 1917.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Section 6 of chapter 155, Laws of 1913, as amended by section 1, chapter 100, Laws of 1915, is hereby amended by striking out the whole of said section and inserting in place thereof the following: SECT. 6. On and after July 1, 1917, any person, firm or corporation cutting wood or lumber on property adjacent to the right of way of any steam or electric railroad or public highway, or adjacent to the land of another, shall dispose of the slash caused by such cutting in such a manner that the inflammable material shall not remain on the ground within sixty (60) feet of the right of way of any steam railroad, or within twenty-five (25) feet of the right of way of any electric railroad or the traveled part of any public highway; and when cutting on land adjacent to the land of another, shall fell the trees away from and not towards nor parallel with the property line of the abutting owner so that the slash from the tops of said trees, when on the ground, shall be as far from the said property line as the felling of the trees in a practicable manner will carry it. Any operator of wood or timber on such land, or any owner of such land where cutting is done, may be fined not more than ten (10) dollars for each acre of such land or fraction thereof, or for each one hundred (100) linear feet or fraction thereof from which the inflammable material is not properly removed or disposed of within sixty (60) days from the cutting of the trees thereon; *provided*, that any owner or operator who cuts wood or timber during the winter, after November, shall have until May 1 in Grafton, Carroll and Coos counties, and until April 1 in other counties, to remove the slash in accordance with the provisions of this section. If such slash is destroyed by burning, such burning shall be done with the permission of the town forest fire warden. The forestry commission is hereby charged with the execution of this section. All owners or operators shall be required to use due care in clearing such land, and shall not be relieved of liability for damage imposed by chapter 128, Laws of 1909, and

Slash to be removed from railroad, highway, etc., certain distance. Distinction as to winter operations. Forestry commission to enforce. Penalty. Civil liability.

amendments thereto; but no owner of such land shall be liable for damages resulting from fires not set by himself or his agents.

Takes effect  
July 1, 1917.

SECT. 2. This amendment shall take effect July 1, 1917.

[Approved April 18, 1917.]

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CHAPTER 162.

AN ACT TO PROVIDE FOR MEETING THE OBLIGATIONS OF THE STATE INCIDENT TO THE ACCEPTANCE OF FEDERAL AID IN THE CONSTRUCTION OF ROADS.

SECTION

1. Faith and credit of state pledged.
2. State highway commissioner authorized to use certain moneys.

SECTION

3. State highway commissioner empowered to represent state in co-operation with federal agents.
4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Faith and credit  
of state pledged.

SECTION 1. The state having assented to the provisions of the federal aid road act, Public Law—No. 156—64th Congress (H. R. 7617), the faith and credit of the state is hereby pledged to make adequate provision, from time to time, by appropriation or otherwise, to meet all obligations of the state incident to the acceptance of federal aid under the provisions of said act.

State highway  
commissioner  
authorized to use  
certain moneys.

SECT. 2. To meet such obligations the highway commissioner is hereby authorized to use any money appropriated for highways not specifically required to be used elsewhere.

State highway  
commissioner  
empowered to  
represent state  
in co-operation  
with federal  
agents.

SECT. 3. Full authority is hereby given to the highway commissioner to act for the state, in conjunction with the representatives of the federal government, in all matters relating to the location and construction of highways to be built with federal aid pursuant to the provisions of said act.

Takes effect on  
passage.

SECT. 4. This act shall take effect upon its passage.

[Approved April 18, 1917.]

## CHAPTER 163.

AN ACT RELATING TO THE REIMBURSEMENT OF CITIES AND TOWNS  
WHICH MAY ADVANCE FUNDS FOR THE IMPROVEMENT OF TRUNK  
LINE HIGHWAYS.

## SECTION

1. Repayment provided for, on approval
- 
- of governor and council.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. That any city or town desiring the immediate im-  
provement of that portion, lying within said city or town, of any  
of the trunk line highways designated and known as the East Side,  
West Side, Merrimack Valley, South Side, Rockingham or Ossipee-  
Meredith, or of the cross-state roads provided for by chapter 93,  
Laws of 1915, and heretofore designated, may improve the same  
at any time at the expense of such city or town, and to the satisfac-  
tion of the state highway commissioner. In such case the state  
shall thereafter pay to said city or town a sum sufficient to cover  
the proportion of such expense which is payable by the state, in  
such installments and at such times as funds may be available for  
that purpose, and approved by the governor and council.

Repayment pro-  
vided for, on  
approval of gov-  
ernor and council.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 18, 1917.]

## CHAPTER 164.

AN ACT TO AMEND CHAPTER 93 OF THE LAWS OF 1915, RELATING TO  
CROSS-STATE HIGHWAYS.

## SECTION

1. Certain state highway terminals fixed.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Amend said section 1 of said chapter 93 by striking  
out in the twelfth line thereof the words "in Keene or Marlboro"  
and inserting in place thereof the following, in Walpole near the  
Cold River bridge, so that said section as amended will read as  
follows: SECTION 1. The highway commissioner may designate  
for improvement by suitable description, whenever in his opinion  
the public good so requires, a system of continuous highways which

Certain state  
highway terminals  
fixed.



shall include the following, and file the same with the secretary of state: From Claremont to Rochester, or to Dover; from Claremont to Plymouth; from Plymouth to Haverhill; from Lebanon to Franklin; from Laconia to Rochester; from Concord to the Massachusetts line in Cheshire county; from Lancaster to Gorham; from Waterford bridge in Littleton to Franconia Notch; from the East Side road in Ossipee, through Wolfeboro and Alton, to the Merrimack Valley road at Suncook in Pembroke; from the South Side road in Walpole near the Cold River bridge to the Massachusetts state line in Fitzwilliam; from Taylor's Falls bridge in Hudson to Derry Depot in Derry.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 18, 1917.]

CHAPTER 165.

AN ACT IN AMENDMENT OF CHAPTER 162, LAWS OF 1913, RELATING TO THE ROCKINGHAM ROAD.

SECTION	SECTION
1. Towns unable to bear their share of the expense, relieved how.	2. Maintenance of road after improvements completed.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Towns unable to bear their share of the expense, relieved how.

SECTION 1. Section 4, chapter 162 of the Laws of 1913, is hereby amended by adding to the end of said section the following words, and such further sums, in towns unable to pay that proportion, as in the opinion of the highway commissioner may be equitable so that said section shall read: SECT. 4. Cities and towns through which such highways shall pass shall receive from funds herein provided one-half of the cost of such improvements within their limits, and such further sums, in towns unable to pay that proportion, as in the opinion of the highway commissioner may be equitable.

Maintenance of road after improvements completed.

SECT. 2. Section 8 of said chapter 162 of the Laws of 1913 is hereby repealed and the following section is substituted in place thereof so that said section shall hereafter read as follows: SECT. 8. Said highway, after improvements are made as herein provided for, shall be maintained in accordance with the provisions of section 20, chapter 35, Laws of 1905 (added to said chapter by chapter 155, Laws of 1909), as amended by section 2, chapter 192, Laws of 1911.

[Approved April 18, 1917.]

CHAPTER 166.

AN ACT RELATING TO THE POWERS AND DUTIES OF ARMED GUARDS.

SECTION	SECTION
1. Guards, police, sheriffs, etc., empowered to require person approaching property under guard, to explain presence. Governor empowered to make regulations for armed guards.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Any member of the home guard, police officer, special police officer, constable, sheriff, or other public officer, who may be detailed as an armed guard of any public property or the property of any railroad, street or electric railway, public utility or manufacturing plant, or other property described in an act entitled "An Act relating to willful and malicious injuries" approved April 12, 1917, may, while on duty, require any person approaching such property to explain his presence there, may search his person, place him under arrest or order him to leave the premises forthwith, and may fire upon any such person who attempts to injure such property or the person of the guard, or to resist arrest or, in violation of his orders, to approach the property or to escape. The governor may issue such further general or special orders affecting the powers and duties of such armed guards as in his judgment may be necessary for the public safety.

SECT. 2. This act shall take effect upon its passage.

[Approved April 18, 1917.]

CHAPTER 167.

AN ACT RELATIVE TO THE RAISING OF MONEY BY TOWNS IN TIME OF WAR.

SECTION	SECTION
1. Certain statutes not to apply to money to be raised for public defense in time of war.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That that portion of section 4 of chapter 40 of the Public Statutes, as amended by section 1, chapter 64, Laws of 1917, Certain statutes not to apply to money to be raised

for public defense  
in time of war.

1915, which provides that no money shall be raised or appropriated at any special town meeting unless the ballots cast at such meeting shall be equal in number to at least one-half of the number of legal voters borne on the checklist of the town at the annual or biennial election next preceding such special meeting, shall not apply to money to be raised for the public defense or any military purpose in time of war.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 18, 1917.]

## CHAPTER 168.

### AN ACT TO PREVENT STOCK-WATERING AND EXCESSIVE CAPITALIZATION OF RAILROADS AND PUBLIC UTILITIES.

#### SECTION

1. Over capitalization not to be authorized by the public service commission.

#### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Over capitaliza-  
tion not to be  
authorized by the  
commission.

SECTION 1. The public service commission shall have no power to authorize the capitalization, directly or indirectly, of any franchise to be a corporation or of any franchise or any right to own, operate or enjoy any franchise whatever in excess of the amount (exclusive of any tax or annual charge) actually paid to the state or to a political subdivision thereof as a consideration for the grant of such franchise or right, all such franchises, rights and privileges being granted in the public interest only, and not justly subject to capitalization against the public.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are repealed, and this act shall take effect upon its passage.

[Approved April 18, 1917.]

## CHAPTER 169.

AN ACT IN AMENDMENT OF SECTION 6, CHAPTER 95, LAWS OF 1903, ENTITLED, "AN ACT TO REGULATE THE TRAFFIC IN INTOXICATING LIQUOR," AS AMENDED BY SECTION 3, CHAPTER 49, LAWS OF 1905, AS AMENDED BY SECTION 1, CHAPTER 18, LAWS OF 1911, AS AMENDED BY SECTION 1, CHAPTER 41, LAWS OF 1915.

## SECTION

1. License to be issued to registered pharmacist operating drugstore, when.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 6, chapter 95, Laws of 1903, entitled "An Act to regulate the traffic in intoxicating liquor," as amended by section 3, chapter 49, Laws of 1905, as amended by section 1, chapter 18, Laws of 1911, as amended by section 1, chapter 41, Laws of 1915, by adding to subdivision 5 the following: A registered pharmacist who owns stock of the actual value of at least five hundred dollars in a corporation which has been incorporated for the purpose of carrying on the drug business, and who conducts in person the business of a store of such corporation, shall be entitled to receive a license for such store in his own name, *provided* he be otherwise qualified. A registered pharmacist who is a member of a partnership which has been formed for the purpose of carrying on the drug business, and who conducts in person the business of a store of such partnership, shall be entitled to receive a license for such store in his own name, *provided* he be otherwise qualified, so that said subdivision as amended shall read as follows: Fifth Class. For retail druggists and apothecaries to sell liquor of any kind for medicinal, mechanical, chemical and sacramental purposes only, and for dealers in hardware, paints and decorating materials to sell alcohol for mechanical and chemical uses only, the same to be sold in accordance with the provisions of this act. Any druggist, not a registered pharmacist, who shall have been continually in active business as a druggist for five years, and who employs a registered pharmacist, shall be entitled to a license in his own name under this subdivision, *provided* he be otherwise qualified. A registered pharmacist who owns stock of the actual value of at least five hundred dollars in a corporation which has been incorporated for the purpose of carrying on the drug business, and who conducts in person the business of a store of such corporation, shall be entitled to receive a license for such store in his own name, *provided* he be otherwise qualified. A registered pharmacist who is a member of a partnership which has been formed for the purpose of carrying on the drug business, and who conducts in per-

License to be issued to registered pharmacist operating drugstore, when.



son the business of a store of such partnership, shall be entitled to receive a license for such store in his own name, *provided* he be otherwise qualified.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved April 18, 1917.]

CHAPTER 170.

AN ACT FOR THE BETTER PROTECTION OF BROOK TROUT IN THE ELLIS AND WILDCAT RIVERS, THEIR TRIBUTARIES, THE EAST AND WEST BRANCHES OF THE SACO RIVER AND THE PONDS IN CARTER NOTCH, ALL SITUATED IN THE NORTHERN PART OF CARROLL AND SOUTHERN PART OF COOS COUNTIES.

SECTION	SECTION
1. May 1 to August 1, open season.	3. Repealing clause; takes effect on passage.
2. Penalty.	

*Be it enacted by the Senate and House of Representatives in General Court convened:*

May 1 to August  
1, open season.

SECT. 1. No person shall, between the first day of August and the first day of May next following, catch, kill or take, in any manner, any brook or speckled trout from the Ellis or Wildcat rivers or any brooks or tributaries emptying into same, or from the east or west branches of the Saco river or the ponds in Carter's Notch, or any of the brooks or tributaries emptying into same; all situated in the northern part of Carroll and the southern part of Coos counties.

Penalty.

SECT. 2. Any person violating the provisions of this act shall be liable to a fine of twenty (20) dollars.

Repealing clause;  
takes effect on  
passage.

SECT. 3. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 18, 1917.]

## CHAPTER 171.

AN ACT IN AMENDMENT OF CHAPTER 162, LAWS 1915, AS AMENDED BY AN ACT APPROVED MARCH 15, 1917, RELATING TO TRUST FUNDS HELD BY TOWNS AND CITIES.\*

SECTION 1. Trust funds may be invested in U. S. bonds, notes, etc.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 3 of chapter 162 of the Laws of 1915 as amended by an act approved March 15, 1917, by inserting in the fifth line of said section after the words "savings bank in this state" the words or in bonds, notes, or other obligations of the United States government, so that said section as amended shall read as follows: SECT. 3. Said board of trustees shall have the custody of all trust funds held by their respective town or city, including all trust funds held at the date of the passage of this act and hereafter received. Said funds shall be invested only by deposit in some savings bank in this state or in bonds, notes, or other obligations of the United States government, or in state, county, town, city, and school district bonds and the notes of towns or cities in this state, and when so invested said trustees shall not be liable for the loss thereof. Said board of trustees may retain investments now held, and investments as received from donors, until the maturity thereof. Such funds or the income thereof shall be expended only upon the joint action of the full board. The accounts of said board of trustees shall annually be audited by the auditor of the town or city, and the securities shall be exhibited to said auditor and he shall certify to the town or city the facts found by his audit and the list of all securities held, which report shall be printed in the annual report of each town or city. Said board of trustees shall annually submit to said auditor a detailed statement of the securities held by them and the particular trust to which they belong, and exhibit to him a statement of all receipts and expenditures with proper vouchers, which report of said trustees shall be printed in the annual report of each town and city. Said trustees shall keep a record of all trusts in a record book, which shall be open to the inspection of all persons in their respective town or city.

Trust funds may be invested in U. S. bonds, notes, etc.

[Approved April 18, 1917.]

\* Chapter 75, ante.

CHAPTER 172.

AN ACT CONFERRING FURTHER JURISDICTION UPON THE PUBLIC SERVICE  
COMMISSION RELATING TO RAILROAD RATES AND FARES.

SECTION

1. Public service commission empowered to regulate fares and freight rates. Application by railroad for leave to increase, deemed acceptance of this act.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Public service  
commission  
empowered to  
regulate fares  
and freight rates.  
Application by  
railroad for leave  
to increase,  
deemed accept-  
ance of this act.

SECTION 1. The legal rates for fares and freights over any railroads consolidated under the provisions of any act passed at this session of the legislature and over any railroads leased or united under the provisions of chapter 100 of the Laws of 1883, chapter 5 of the Laws of 1889, and chapter 156 of the Public Statutes, shall be such as are from time to time fixed and allowed by the public service commission in accordance with the general provisions of chapter 164 of the Laws of 1911 and amendments thereto; but nothing in this act contained shall be construed as repealing, suspending or modifying chapter 100 of the Laws of 1883, chapter 5 of the Laws of 1889, chapter 156 of the Public Statutes or chapter 106 of the Laws of 1913, except that the restrictions contained in said statutes upon the maximum rates and fares to be charged by said railroads are hereby repealed, and the rates and fares from time to time fixed and allowed by the public service commission are substituted as the legal maximums in place of the maximums fixed by said statutes. The application by any such railroad for leave to increase any of its rates or fares above the maximum rates and fares now in force shall be deemed an acceptance of all the provisions of this section.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 18, 1917.]

## CHAPTER 173.

AN ACT RELATING TO THE REGISTRATION OF INFORMATION CONCERNING  
ALIENS.

## SECTION

1. Governor authorized to require aliens, in time of war, to register. Persons entertaining aliens required to notify authorities. Penalty.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Whenever between the United States of America and any foreign country a state of war shall exist or shall be imminent, the governor may, by proclamation, direct and require every subject or citizen of such foreign country within this state to appear within twenty-four hours after such proclamation and from time to time thereafter within twenty-four hours after his arrival in this state before such public authorities as the governor may in such proclamation direct, and then and there such subject or citizen of such foreign country shall personally register his name, residence, business, length of stay and such information as the governor may from time to time in such proclamations prescribe. The person in control, whether owner, lessee, manager or proprietor, of each hotel, inn, boarding house, rooming house, building and private residence shall within twenty-four hours after such proclamation notify such public authorities of the presence therein of every such subject or citizen of such foreign country and shall each day thereafter notify such public authorities of the arrival thereat and departure therefrom of every such subject or citizen. A failure to comply with all the requirements of any such proclamation or to do or perform any of the acts herein provided shall be a misdemeanor and shall be punished by a fine not exceeding one thousand dollars or by imprisonment for not exceeding one year or both.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]



## CHAPTER 174.

AN ACT TO AMEND SECTION 7 OF CHAPTER 176 OF THE LAWS OF 1915  
RELATING TO THE MANAGEMENT AND CONTROL OF STATE INSTITUTIONS.

## SECTION

1. Governor and council authorized to appropriate fund for working capital for purchasing agent, etc.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Governor and council authorized to appropriate fund for working capital for purchasing agent, etc.

SECTION 1. Amend section 7 of chapter 176 of the Laws of 1915 by striking it out and inserting in place thereof the following: SECT. 7. The governor and council are hereby authorized to draw their warrant on the treasurer for any money in the treasury not otherwise appropriated, for such sum or sums, to be advanced to the credit of the state treasurer or the purchasing agent, to be used as working capital, as may appear to them necessary and proper for the prompt payment of bills contracted by the purchasing agent, and for such other claims against the state, duly approved, as the governor and council may specifically direct.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]

## CHAPTER 175.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF TEMPORARY HEADS OF  
STATE DEPARTMENTS IN CASE OF INCAPACITY BY REASON OF ILLNESS  
OR OTHERWISE.

## SECTION

1. Governor and council may appoint temporary heads of departments, in emergency; and fix compensation.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Governor and council may appoint temporary heads of departments, in emergency; and fix compensation.

SECTION 1. That in case of the temporary inability, by reason of illness or otherwise, of the head of any state department, to perform his duties, where the law does not designate or make other provision for the appointment of an officer to perform such duties, the governor with the advice and consent of the council may ap-

point a person to act in his stead, and the person thus appointed shall have the powers and perform the duties of such head of department for such time, for such compensation and subject to such qualifications as the governor and council may from time to time deem expedient.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]

## CHAPTER 176.

AN ACT IN AMENDMENT OF SECTION 8, CHAPTER 95, LAWS OF 1903, ENTITLED "AN ACT TO REGULATE THE TRAFFIC IN INTOXICATING LIQUOR," AS AMENDED BY SECTION 5, CHAPTER 49, LAWS OF 1905, AS AMENDED BY SECTION 1, CHAPTER 118, LAWS OF 1909.

### SECTION

1. Issuance of certain licenses limited.

### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 8, chapter 95, Laws of 1903, entitled "An Act to regulate the traffic in intoxicating liquor," as amended by section 5, chapter 49, Laws of 1905, as amended by section 1, chapter 118, Laws of 1909, by striking out all of subdivision 6 of said section and by substituting in place thereof the following:

6. A license shall not be granted to:

Issuance of certain licenses limited.

(a) A co-partnership of the second, third and fourth class, unless all the members of such co-partnership shall be citizens of the United States, and shall have been residents of the town or city within which they desire to carry on the liquor business, for one year last prior to the filing of their application.

(b) A co-partnership of the fifth class, unless one or more of the members of such co-partnership, owning at least one-half interest in the business thereof, shall be a citizen of the United States and shall have been a registered pharmacist of New Hampshire and an actual resident thereof, for one year last prior to the filing of their application; or, unless one or more of the members of such co-partnership, owning at least one-half interest in the business thereof, and being a citizen of the United States and having been an actual resident thereof, for one year last prior to the filing of the application, be a druggist and not a registered pharmacist, and shall have been continually in active business as a druggist for five

years last prior to the filing of the application, and the co-partnership employs a registered pharmacist.

(c) A co-partnership of the sixth, eighth and ninth class, unless one or more of the members of such co-partnership, owning at least one-half interest in the business thereof, shall be a citizen of the United States and a resident of the town or city within which they desire to exercise the license for one year last prior to the filing of their application.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved April 18, 1917.]

CHAPTER 177.

AN ACT TO MORE EFFECTIVELY RESTRAIN AGREEMENTS TO REGULATE AND FIX PRICES OF COMMODITIES IN THIS STATE AND TO RESTRAIN COMBINATIONS AND MONOPOLIES IN COMMODITIES AND PROVIDE PENALTIES THEREFOR.

SECTION

1. Word "person" includes corporation, partnerships and association.
2. "Trust" defined.
3. Formation of trust or combination for purpose of fixing prices or controlling production, prohibited.
4. Violation deemed conspiracy; penalty.

SECTION

5. Violation to be prosecuted to final judgment, unless.
6. Witness testifying, not to be prosecuted thereafter for any act disclosed by his evidence.
7. Certain organizations not deemed to come within purview of this act.
8. Repealing clause.
9. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Word "person"  
includes corpora-  
tion, partnerships  
and association.

SECTION 1. The word person or persons, as used in this act, includes corporations, partnerships and associations existing under or authorized by any state or territory of the United States or a foreign country.

"Trust" defined.

SECT. 2. A trust is a combination of capital, skill or acts by two or more persons, firms, partnerships, corporations or associations of persons, for any or all of the following purposes:

First. To create or carry out restrictions in trade or commerce.

Second. To limit or reduce the production or increase or reduce the price of merchandise or a commodity.

Third. To prevent competition in manufacturing, making, transportation, sale or purchase of merchandise, produce or a commodity.

Fourth. To fix a standard or figure, whereby the price to the public or consumer is in any manner controlled or established of an article or commodity of merchandise, produce or commerce intended for sale, barter, use or consumption in this state.

Fifth. To make, enter into, execute or carry out contracts, obligations or agreements of any kind or description, by which they bind or have bound themselves not to sell, dispose of, or transport an article or commodity, or any article of trade, use, merchandise, commerce or consumption below a common standard figure or fixed value, or by which they agree in any manner to keep the price of such article, commodity or transportation at a fixed or graduated figure, or by which they shall in any manner establish or settle the price of an article, commodity or transportation between them or themselves and others so as to directly or indirectly preclude a free and unrestricted competition among themselves, purchasers or consumers in the sale or transportation of such articles or commodity or by which they agree to pool, combine, or directly or indirectly unite any interests which they have connected with the sale or transportation of such article or commodity that its price may in any manner be affected. Such trust as is defined herein is unlawful against public policy and void.

SECT. 3. It shall not be lawful for a person, partnership, association or corporation or an agent thereof to issue or own trust certificates, or for a person, partnership, association or corporation, or an officer or employee thereof, or a director or stockholder of a corporation to enter into a combination, contract or agreement with any person or persons, corporation or corporations, or a stockholder or director thereof, the purpose and effect of which is to place the management or control of such combination or combinations, or the manufactured product thereof in the hands of a trustee or trustees with the intent to limit or fix the price or lessen the production and sale of an article of commerce, use or consumption, or to prevent, restrict or diminish the manufacture or output of such article.

Formation of trust or combination, for purpose of fixing prices or controlling production, prohibited.

SECT. 4. A violation of any or all of the provisions of this act is a conspiracy against trade, and a person engaged in such conspiracy or taking part therein, or aiding or advising in its commission, or, as principal, manager, director, agent, servant or employee, or in any other capacity, knowingly carrying out any of the stipulations, purposes, prices or rates, or furnishing any information to assist in carrying out such purposes, or orders thereunder, or in pursuance thereof, or in any manner violating a provision of this act, shall be fined not less than fifty dollars, nor more than five thousand dollars, or imprisoned not less than six months nor more than one year, or both; *provided, however*, that when the violation of the provisions of this chapter consists of a combination to control the price of supply, or to prevent compe-

Violation deemed conspiracy; penalty.



tion in the sale of bread, butter, eggs, flour, meat, vegetables, or coal, or of any one of such articles, the person or persons thus engaged shall upon conviction thereof be fined in any sum not less than five hundred dollars and imprisoned in the state prison or jail not less than one nor more than five years; each day's violation of any of the provisions of this act shall constitute a separate offense.

Violation to be prosecuted to final judgment, unless.

SECT. 5. A prosecution for the violation of any of the provisions of this act shall not, unless the purposes of justice require such disposition, be placed on file or disposed of except by trial and judgment according to the regular course of criminal proceedings. It shall be otherwise disposed of only upon motion in writing stating specifically the reasons therefor and verified by affidavit if facts are relied on. If the court or magistrate certifies in writing that he is satisfied that the cause relied on exists and that the interests of public justice require the allowance thereof, such motion shall be allowed and said certificate filed in the case.

Witness testifying, not to be prosecuted thereafter for any act disclosed by his evidence.

SECT. 6. No person called as a witness to testify at any proceedings under this act shall be excused from answering any questions material to the proof of a violation of any of the provisions of this act or from producing any books, papers or documents which are so material, on the ground that his testimony will tend to incriminate him; but no person shall be prosecuted in any criminal proceeding, or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence, documentary or otherwise, in any such proceeding.

Certain organizations not deemed to come within purview of this act.

SECT. 7. Nothing contained in this act shall be construed to forbid the existence and operation of labor, agriculture, or horticultural organizations, instituted for the purposes of mutual help and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or members thereof, be held or considered to be illegal trusts or conspiracies against trade, under this act.

Repealing clause.

SECT. 8. Nothing in this act shall be construed as repealing any other act, or part of an act, except acts, or parts of acts, if any there be, which are inconsistent herewith.

Takes effect on passage.

SECT. 9. This act shall take effect upon its passage.

[Approved April 18, 1917.]

## CHAPTER 178.

AN ACT IN AMENDMENT OF CHAPTER 47 OF THE LAWS OF 1913, BEING  
 “AN ACT TO PROVIDE FOR THE CONSTRUCTION OF DAMS OF A HEIGHT  
 IN EXCESS OF TWENTY-FIVE FEET UNDER THE SUPERVISION OF A  
 STATE INSPECTOR.”

## SECTION

1. Person proposing to erect a dam, required to file statement of proposed location and height. Public service commission given jurisdiction over such.

## SECTION

2. Commission empowered to require reconstruction, etc.
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
 General Court convened:*

SECTION 1. Chapter 47 of the Laws of 1913, being “An Act to provide for the construction of dams of a height in excess of twenty-five feet under the supervision of a state inspector,” is hereby amended by adding to section 1 the following: No person shall begin the construction of any dam in this state until he has filed with the public service commission a statement of the height of the proposed dam and of the location at which it is to be erected. The commission shall thereupon make investigation, and if after notice and hearing it shall find that said dam, if improperly constructed, would be a menace to the public safety, said dam shall be in all respects subject to the provisions of this act in the same manner as dams of a height in excess of twenty-five feet.

SECT. 2. Said act is further amended by inserting after section 4 of said act a new section, to be numbered section 5, as follows:

SECT. 5. It shall be the duty of said commission from time to time to cause all dams in the state of a height in excess of twenty-five feet, and all other dams which by reason of their height and location would be a menace to the public safety, if improperly constructed or maintained, to be inspected by competent engineers. If such inspection shall indicate that the public safety requires the repairing or reconstruction of any such dam, the commission shall, after notice and hearing, order the owner of such dam to make the requisite repairs or reconstruction within a period to be fixed by the order, and by correspondingly renumbering the succeeding sections of said act.

SECT. 3. This act shall take effect upon its passage.

Takes effect on  
 passage.

[Approved April 18, 1917.]

CHAPTER 179.

AN ACT IN AMENDMENT OF CHAPTER 128, LAWS OF 1909, AS AMENDED BY CHAPTER 166, LAWS OF 1911, RELATING TO THE PAYMENT OF FOREST FIRE BILLS.

SECTION

1. Expense incurred by forest fire wardens, in fighting fires, how borne. Procedure.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Expense incurred by forest fire wardens, in fighting fires, how borne. Procedure.

SECTION 1. Section 9 of chapter 128, Laws of 1909, as amended by chapter 166, Laws of 1911, is hereby amended by striking out the words "as the case may be" and substituting therefor the words or the proper city department; and the said section 9 is further amended by striking out the words "within one month of the date" and substituting therefor the words as soon as possible after; and the said section 9 is further amended by striking out in the eighteenth and nineteenth lines thereof the words "who shall draw his order on the state treasurer" and substituting therefor the following, who, if he finds the same to be correct, shall forward it to the state treasurer with his approval, and the governor shall draw his warrant on the state treasurer; and the said section 9 is further amended by adding at the end thereof the following: If any such bill is not paid by a town or city within thirty days from the date rendered by the forest fire warden the state forester may investigate the cause thereof and may issue an order for the payment of said bill. Upon receipt of said order the said bill shall be paid forthwith by the selectmen of the town or the mayor of the city or the proper city department; so that the said section 9 as amended shall read: SECT. 9. The expenses of fighting forest and brush fires in towns and cities, and other expenses lawfully incurred by forest fire wardens and deputy forest fire wardens of said towns and cities in preventing forest fires, shall be borne equally by the town or city and by the state. The forest fire wardens shall render to the selectmen or the mayor or the proper city department a statement of said expenses as soon as possible after they are incurred, which said bill shall show in detail the amount and character of the services performed, the exact duration thereof, and all disbursements made by said wardens, and must bear the approval of the forest fire warden, and the approval also of the deputy forest fire warden, if said expenses were incurred by the authority of said deputy forest fire warden; said bill shall be audited, and if approved by the selectmen of the town or mayor of the city wherein such services were incurred, shall be paid on the order of

the selectmen by the town or city treasurer. A duplicate bill, showing that the same has been audited and paid by the town, shall be filed by the selectmen or the mayor with the state forester, who, if he finds the same to be correct, shall forward it to the state treasurer with his approval, and the governor shall draw his warrant on the state treasurer in favor of said town or city for the portion of said bill for which the state is liable in accordance with the provisions of this section. If any such bill is not paid by a town or city within thirty days from the date rendered by the forest fire warden the state forester may investigate the cause thereof and may issue an order for the payment of said bill. Upon receipt of said order the said bill shall be paid forthwith by the selectmen of the town or the mayor of the city or the proper city department.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]

## CHAPTER 180.

AN ACT TO PROVIDE FOR THE FREEING OF ELIOT TOLL BRIDGE AND  
AUTHORIZE STRAFFORD COUNTY TO MAINTAIN THAT PART LYING  
WITHIN SAID COUNTY.

### SECTION

1. County commissioners empowered to co-operate with commissioners of York county, Maine.
2. If commissioners unable to agree, may petition superior court to fix value of portion in N. H. Appeal.

### SECTION

3. Strafford county commissioners empowered to arrange with York county commissioners for maintenance and future up-keep.
4. Takes effect when Maine grants similar power to York county commissioners.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. The county commissioners of Strafford county in conjunction with the county commissioners of York county, state of Maine, between which counties a toll bridge exists known as the Eliot bridge, are hereby authorized and directed on behalf of said county of Strafford to receive a conveyance of one-half of or so much of said Eliot bridge as lies within the county of Strafford and to maintain said bridge as a public highway on the same terms, and of the same right and liability as are provided for highways not in any town.

County commissioners empowered to co-operate with commissioners of York county, Maine.



If commissioners unable to agree, may petition superior court to fix value of portion in N. H. Appeal.

Strafford county commissioners empowered to arrange with York county commissioners for maintenance and future up-keep.

Takes effect when Maine grants similar power to York county commissioners.

SECT. 2. If the owners of said bridge and said county commissioners of Strafford county, New Hampshire, and York county, Maine, cannot agree upon a fair valuation for the same, then the said commissioners for the county of Strafford may petition to the superior court to have the value of that part of said bridge, lying within the state of New Hampshire, ascertained and determined in the same manner as in the taking of lands for public highways, and persons and corporations aggrieved shall have the same right of appeal as is now provided in the laying out of highways.

SECT. 3. The county commissioners of Strafford county, New Hampshire, are hereby authorized to enter into an agreement with the county commissioners for the county of York, state of Maine, for the maintenance, repair, improvement and up-keep of said bridge.

SECT. 4. This act shall take effect when the county commissioners of York county, Maine, are empowered by the state of Maine to take similar action.

[Approved April 18, 1917.]

## CHAPTER 181.

### AN ACT PERMITTING STERILIZING OPERATIONS IN CERTAIN CASES OF MENTAL DISEASE AND FEEBLE-MINDEDNESS.

#### SECTION

1. Vasectomy and fallocotomy legalized under certain conditions.
2. May be performed in certain state institutions, when. Procedure as to consent.

#### SECTION

3. Compensation of operating surgeon; how paid.
4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Vasectomy and fallocotomy legalized under certain conditions.

May be performed in certain state institutions, when. Procedure as to consent.

SECTION 1. That the operations of vasectomy and fallocotomy may be performed under the conditions and within the restrictions herein described, and under such provisions shall be lawful.

SECT. 2. When either of the recognized sterilizing operations herein referred to may be indicated for the prevention of the reproduction of further feeble-mindedness, or for the therapeutic treatment of certain forms of mental disease, physicians in charge of state and county institutions, having the custody of such cases may recommend to the nearest relative, guardian and affected individual the advisability and necessity of such operation; and when

the written consent of the patient, when mentally competent to give such consent, as well as that of the nearest relative or guardian is given, the physician having the custody aforesaid of said case shall call a counsel of two registered medical practitioners—one a physician and one a surgeon—of not less than five years' practice and not related to the patient, whose duty it shall be, in conjunction with the physician in charge of the case, to examine the individual recommended for operation. Whether the person to be operated upon is mentally capable of giving his consent shall be decided by the consultants and stated in writing, with their reasons therefor, and such written statement shall be kept on file in the probate court of the county in which the individual resides, in which event the consent of the guardian or nearest relative must be secured. If in the judgment of the consulting physicians the operation will prevent the further propagation of mental deficiency, or if in the judgment of the medical consultants the physical or mental condition of any such person will be substantially benefited thereby, then the consultants shall select a competent surgeon to perform the operation of fallocotomy or vasectomy, as the case may be, upon such person.

SECT. 3. The compensation of the consulting physicians and surgeons in the case of public charges shall be entrusted with the management of the several institutions and shall be paid out of the funds appropriated for the maintenance of such institutions.

Compensation of  
operating sur-  
geon; how paid.

SECT. 4. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 18, 1917.]

CHAPTER 182.

AN ACT TO PROVIDE FOR ESTABLISHING BONDED WAREHOUSES.

SECTION	SECTION
1. Secretary of state to license warehousemen; licensee to give bond with sureties to satisfaction of governor. Responsible for act of deputies.	8. Secretary of state to publish notice of license, qualification and filing of bond for ten days in newspaper, published where.
2. Suit on bond, how instituted; liability for costs.	9. Warehouseman may sell property sold, when. Procedure.
3. Warehousemen to insure property stored when requested by bailor.	10. If proceeds of sale insufficient to pay charges bailor liable for balance.
4. Warehousemen to give receipt for goods stored. Form of receipt. Negotiable and non-negotiable receipts.	11. Sale of property stored, when charges are in arrears one year. Procedure; notice to owner, etc.
5. Title to goods stored, to pass by indorsement and delivery of receipt, when. of all business. Open to inspection by persons actually interested.	12. Service of notice, how made.
6. Title to grain, etc., when mixed with other like property.	13. Disposition of surplus proceeds.
7. Warehousemen to keep book accounts of all business. Open to inspection by persons actually interested.	14. Penalty for illegal sale.
	15. Penalty for forging, uttering, etc., false receipt, etc.
	16. Assignment of warehouse receipt by owner having knowledge that goods stored are attached, without stating fact of attachment, punishable how.
	17. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The secretary of state may license any suitable persons, or corporations established under the laws of the state and having their places of business within the state, to be public warehousemen. Such warehousemen may keep and maintain public warehouses for the storage of goods, wares and merchandise. They shall give bond to the state treasurer for the faithful performance of their duties in an amount and with sureties to be approved by the governor, and may appoint one or more deputies, for whose acts they shall be responsible.

SECT. 2. Whoever is injured by the failure of a public licensed warehouseman to perform his duty or by his violation of any of the provisions of this chapter may bring an action for his own benefit, in the name of the state, on the bond of such warehouseman. The writ shall be indorsed by the person in whose behalf such action is brought, or by some other person satisfactory to the court; and the indorser shall be liable to the defendant for any costs which he may recover in such action, but the state shall not be liable for any costs.

SECT. 3. Such warehousemen shall, upon request in writing by a party placing property with him on storage, cause such property to be insured for whom it may concern.

SECT. 4. Every such warehouseman shall give to each person who deposits property with him for storage a receipt therefor,

Secretary of state to license warehousemen; licensee to give bond with sureties to satisfaction of governor. Responsible for act of deputies.

Suit on bond, how instituted; liability for costs.

Warehousemen to insure property stored when requested by bailor.

Warehousemen to give receipt for goods stored.

which shall be negotiable in form, shall describe the property, shall state distinctly the brands or distinguishing marks thereon, the rate of charges for storing it and the amount and rate of insurance thereon, and, if it is grain, the quantity and inspected grade thereof; or, upon request, he shall give a similar receipt, non-negotiable in form, which shall have the words Not Negotiable plainly written, printed or stamped upon the face thereof.

Form of receipt.  
Negotiable and  
non-negotiable  
receipts.

SECT. 5. The title to property which is stored in a public warehouse under a warehouseman's negotiable receipt therefor shall pass to a purchaser or pledgee by the indorsement and delivery to him of such receipt signed by the person to whom the receipt was originally given or by an indorsee thereof; and if so stored under a warehouseman's non-negotiable receipt, shall pass by assignment of such receipt when recorded on the books of the warehouseman issuing same.

Title to goods  
stored, to pass by  
indorsement and  
delivery of re-  
ceipt, when.

SECT. 6. If grain or other property which is stored in a public warehouse is so mixed or intermingled that the identity of different lots or parcels cannot be accurately preserved, the warehouseman's receipt shall give a valid title to so much of such grain or property as is designated therein, without actual separation or identification.

Title to grain, etc.,  
when mixed with  
other like prop-  
erty.

SECT. 7. Such warehouseman shall keep books in which shall be entered an account of all his transactions relative to the storing and insuring of goods, wares and merchandise, to the issuing of receipts therefor and to the disposition of proceeds of sales thereof under the provisions of this chapter. Such books shall be open to the inspection of any person actually interested in the property to which the entries relate.

Warehousemen to  
keep book ac-  
counts of all busi-  
ness. Open to  
inspection by per-  
sons actually  
interested.

SECT. 8. The secretary of the state shall, at the expense of each warehouseman, give notice of his license and qualification, of the amount of the bond given by him and also of the discontinuance of his license by publishing the same for not less than ten days in one or more newspapers, if any, published in the county or town in which the warehouse is located; otherwise, in one or more newspapers published in the city of Manchester.

Secretary of state  
to publish notice  
of license, qualifi-  
cation and filing  
of bond for ten  
days in newspa-  
per, published  
where.

SECT. 9. If a public warehouseman has in his possession, in storage, upon a non-negotiable receipt, property of a perishable nature, or which, by keeping, will deteriorate greatly in value, or, by its odor, leakage, inflammability or explosive nature, will be liable to injure other property, or of a value which will probably be insufficient to pay the storage charges thereof, he may, after notice to the person in whose name the property is stored, remove said property and pay the storage and other proper charges thereon, and the refusal or neglect of such person so to do, sell the same at public or private sale without advertising. If, on reasonable inquiry, such person cannot be found, the sale may be made without notice. The proceeds of the sale, after deducting the expenses thereof and the storage and other proper charges, shall be paid or

Warehouseman  
may sell property  
sold, when.  
Procedure.



credited to the person in whose name the property was stored, or if he cannot be found, to the state treasurer, who shall pay it over to the owner thereof upon proof of his title thereto within one year after its receipt by the state treasurer. If such warehouseman has made reasonable effort to sell perishable or worthless property and has been unable so to do, he may dispose of it in any lawful manner, and shall not be liable for such disposition.

If proceeds of sale insufficient to pay charges bailor liable for balance.

SECT. 10. If, from the sale or other disposition authorized by the preceding section, no proceeds are realized or the proceeds are insufficient to pay the expenses of sale and the storage and other proper charges, the person in whose name said property was stored shall be liable to such warehouseman for all proper charges against such property or for such amount as equals the difference between the charges due thereon and the proceeds of such sale or disposition.

Sale of property stored, when charges are in arrears one year. Procedure; notice to owner, etc.

SECT. 11. A public warehouseman, who has in storage any property for which a storage charge is at least one year overdue, may sell the same by public auction after notice in writing to the person in whose name it is stored that such property will be sold at a time and place specified in the notice unless the amount due for storage, the advances made thereon and the expenses of advertising and sale are paid before the sale is made. From the proceeds, he may retain said storage charges, advances made and expenses of advertising and sale.

Service of notice, how made.

SECT. 12. The notice required by the preceding section shall be served by an officer authorized to serve civil process or by some other person by delivering it to the person in whose name such property is stored at the time of such service or by leaving it at his usual place of abode, if within the state, at least sixty days before the time of such sale; in the event that the party storing such goods shall have parted with the same, and the purchaser shall have notified the warehouseman, with his address, such notice shall be given to such person in lieu of the person storing the goods. A return of service of such notice shall be made under oath. If the person in whose name such property is stored cannot, with reasonable diligence, be found within the state, such notice shall be published once in each of three successive weeks in a newspaper published in the city or town in which the warehouse is located, if any; otherwise, in one of the principal newspapers published in the county in which such city or town is located, the last publication to be at least thirty days before the time of sale.

Disposition of surplus proceeds.

SECT. 13. Such warehouseman shall, on demand, pay over the surplus of the proceeds of a sale authorized by section eleven to the person entitled thereto, but if it is not claimed within six months after such sale, he shall pay such surplus to the state treasurer and shall, at the same time, file with him an affidavit stating the name and residence of the person whose property has been sold, the articles sold and the prices obtained therefor, the name and residence

of the auctioneer and a copy of the notice served or published with the return thereof. The copy of notice and return so filed shall be admitted as evidence of the giving of the notice. The state treasurer shall pay it over to the owner thereof upon proof of his title thereto within five years after its receipt by the state treasurer.

SECT. 14. Whoever, with intent to injure or defraud unlawfully, sells, pledges, lends or in any other way disposes of, or permits or is a party to the unlawful selling, pledging, lending or other disposition of, any property stored in a public warehouse, without the authority of the person in whose name the same is stored, shall be punished by a fine of not more than five thousand dollars and by imprisonment in the state prison for not more than three years. Penalty for illegal sale.

SECT. 15. Whoever falsely makes, utters, forges or counterfeits, or whoever permits or is a party to the false making, uttering, forging or counterfeiting of, a warehouse receipt, certificate or other instrument, or of the signature of a warehouseman or of an indorser or other person to an instrument used to pass or to give title to property stored in a public warehouse, shall be punished by a fine of not more than five thousand dollars and by imprisonment in the state prison for not more than three years. Penalty for forging, uttering, etc., false receipt, etc.

SECT. 16. Whoever, knowing that his interest in the property described in a warehouseman's receipt has been attached, indorses, assigns or otherwise disposes of such receipt without disclosing such attachment to the person to whom such receipt is indorsed, assigned or disposed of, shall be punished by a fine of not more than five thousand dollars and by imprisonment in the state prison for not more than three years, or by imprisonment in jail for not more than one year. Assignment of warehouse receipt by owner having knowledge that goods stored are attached, without stating fact of attachment, punishable how.

SECT. 17. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]

## CHAPTER 183.

AN ACT TO PROVIDE FOR THE SAFETY AND HEALTH OF EMPLOYEES IN  
FACTORIES AND WORKSHOPS.

## SECTION

1. Application of act.
2. Duty of providing safeguards applies when. Employer to provide toilet facilities for employees.
3. Removal of safeguards prohibited.
4. Commissioner of labor to inspect factories and workshops, with reference to safety and health of employees. Report to be filed and copy given employer. Right to enter factories for inspection, established.
5. Labor commissioner to establish rules for safe-guarding mill machinery. May require employer to adopt specified appliance for safe-guarding employees.
6. Orders shall state time within which compliance required. Notice of order, how given.
7. Person or corporation affected by order may petition commissioner for a review thereof within thirty days. Procedure. Decision final unless appealed from.
8. Appeal to superior court. Procedure.

## SECTION

9. Pending determination of appeal, order suspended.
10. In proceedings hereunder, commissioner of labor may administer oaths; summon witnesses *duces tecum*. Commissioner to keep record of all rules promulgated.
11. Witness fees for attendance before commissioner. Depositions for use in hearings before commissioner.
12. Factory inspectors, how appointed; salary. Labor commissioner empowered to enforce all laws relating to factories and workshops.
13. Employer not to be prosecuted until failure to comply with order of commissioner, within reasonable time. Penalty.
14. Employers to inform commissioner in writing of name, address, business and number employed. Penalty for failure.
15. Takes effect June 30, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Application of  
act.

SECTION 1. This act shall apply only to factories, mills, workshops or other manufacturing establishments in which ten or more persons are regularly employed. The term employer as used in this act shall mean and include every person, firm, corporation or association operating in this state a factory, mill, workshop or other manufacturing establishment in which ten or more persons are regularly employed. The term place of employment shall mean and include any mill, workshop or other manufacturing establishment where ten or more persons are regularly employed, and all buildings, sheds, structures or other places used in connection therewith. The term employee shall mean and include every person employed to work in any such place of employment.

Duty of providing  
safeguards applies  
when. Employer  
to provide toilet  
facilities for  
employees.

SECT. 2. Whenever the nature or condition of any such place of employment, or the machinery or other appliances therein are such as to render employment therein or in proximity thereto dangerous to the safety or health of such employees, it shall be the duty of every such employer to provide and maintain such safeguards, safety devices, appliances, lighting facilities, and do such other things as may be reasonably necessary and practicable to lessen the dangers of such employment. Every such employer

shall provide and maintain reasonable and proper toilet facilities and reasonably sanitary and hygienic conditions for such employees.

SECT. 3. No person shall, so as to interfere with the intended use thereof, remove, displace, damage or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, and no person shall interfere with the use of any method or process adopted for the protection of any employee in such employment or place of employment.

SECT. 4. (1) The commissioner of labor shall cause every place of employment to be inspected as soon as may be after the passage of this act, and at least once each year thereafter, for the purpose of determining the conditions in such place of employment with respect to the safety and health of the employees working therein.

(2) A report of such inspection shall be filed in the office of the commissioner of labor and a copy thereof given the employer.

(3) The commissioner of labor, factory inspectors and other assistants of the commissioner of labor shall have the right for the purposes of this act to enter any such place of employment and to examine the same.

SECT. 5. It shall be the duty of the commissioner of labor to make and adopt such reasonable orders, rules and regulations of general application as may be necessary to give effect to section 2 of this act with respect to the use of mechanical contrivances for disengaging power, the safeguarding of saws, planers, jointers and other similar machines, the protection of cogs, gearing, couplings and the like, and the use of set screws, keys, bolts and the like used in connection with revolving shafting.

Whenever the commissioner of labor, after any such place of employment shall have been inspected in accordance with section 4 of this act, shall be of the opinion that the special conditions in that place of employment render any general order, rule or regulation so made by him inadequate or unreasonable as applied to such place of employment or any part thereof, he may, by special order applicable to that place of employment, so modify or extend the requirements of such general order, rule or regulation as to make the same adequate and reasonable with respect to such special conditions; and whenever, after such inspection, the commissioner of labor shall be of the opinion that compliance with section 2 of this act, under the special conditions obtaining in any place of employment, necessitates the use of any safeguard or the doing of any other act for which the general orders, rules and regulations adopted by him do not provide, he shall have power by special order to require the adoption in that place of employment of such particular safeguards, safety devices, appliances, lighting facilities or other means as may be reasonable and practicable for the safety

Removal of  
safeguards pro-  
hibited.

Commissioner of  
labor to inspect  
factories and  
workshops, with  
reference to safety  
and health of em-  
ployees. Report to  
be filed and copy  
given employer.  
Right to enter fac-  
tories for inspec-  
tion, established.

Labor commis-  
sioner to establish  
rules for safe-  
guarding mill  
machinery. May  
require employer  
to adopt specified  
appliance for  
safeguarding  
employees.



and health of the employees. The commissioner of labor shall have like power and it shall be his duty by general or special orders, rules or regulations to require compliance with section 2 with respect to toilet facilities and sanitary and hygienic conditions in any such place of employment.

Orders shall state time within which compliance required. Notice of order, how given.

SECT. 6. Every order, rule or regulation made or adopted by the commissioner of labor shall fix the time when it shall take effect, and in every case a reasonable time shall be allowed to the employer or employers affected thereby for compliance therewith. Notice shall be given of every order, rule or regulation to those who are required to comply with the same and such notice may be given by registered mail. Notice of any such order, rule or regulation of general application may be given by publication in some newspaper having circulation throughout the state.

Person or corporation affected by order may petition commissioner for a review thereof within thirty days. Procedure. Decision final unless appealed from.

SECT. 7. Any person or corporation affected by such order, rule or regulation may petition the commissioner of labor for a review of the validity or reasonableness thereof. The commissioner of labor may join in one proceeding all petitions alleging invalidity or unreasonableness of the same or substantially similar orders, rules or regulations. The petition for review shall be filed within thirty days after notice of the adoption of the order, rule or regulation, *provided however*, that the commissioner of labor may, whenever in his opinion justice may require it, extend the time for filing such petition.

Upon receipt of the petition the commissioner of labor shall, if necessary to determine the issue raised, order a hearing. Notice of the time and place of hearing, which shall be open to the public, shall be given to the petitioner and to such other persons as the commissioner of labor may find directly interested in the issues raised by the petition.

If upon such hearing the commissioner of labor finds that the order, rule or regulation complained of is invalid or unreasonable, he shall revoke it or substitute therefor a new or amended order, rule or regulation.

The decision of the commissioner of labor upon such petition shall be final unless appeal is taken to the superior court in the manner herein provided.

Appeal to superior court. Procedure.

SECT. 8. Any person or corporation aggrieved by any order, rule or regulation of the commissioner of labor may file a petition in the superior court against the commissioner of labor to determine the validity and reasonableness of such order, rule or regulation. Such petition shall be filed within thirty days after notice of the adoption of the order, rule or regulation, or if a petition for review is filed, within thirty days from the decision upon such petition. Such notice shall be given to the commissioner of labor of the pendency of such proceedings as the superior court may order.

Such petition so far as practicable shall have precedence over

other actions in the same court and the order of the commissioner of labor appealed from shall be *prima facie* valid and reasonable. The proceedings upon such petition shall be as nearly as may be in accordance with proceedings in equity. The court may, and on the request of the parties shall, refer any issue or issues arising in such action to one or more persons who shall find and report the facts together with his or their recommendations to the court. One or more of such persons may be a layman conversant with the subject matter involved in such appeal. The superior court shall upon such petition enter such order or decree as justice may require.

SECT. 9. During the pendency of any petition for review, the order, rule or regulation under review shall be suspended, and during the pendency of an appeal to the superior court under section 8, the order, rule or regulation appealed from may be suspended by the superior court if justice requires; but except as affected by proceedings upon review by the commissioner of labor or appeal to the superior court, every order, rule or regulation made and adopted under the provisions of this chapter shall have the effect of law.

Pending determination of appeal, order suspended.

SECT. 10. The commissioner of labor for the purpose of carrying into effect the provisions of this act shall have power to administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses, and the production of papers, books, accounts, documents and testimony. In case of the failure of any person to comply with any order of the commissioner of labor given under this section, or any subpoena lawfully issued, or on the refusal of any witness to testify to any matter about which he may lawfully be interrogated, it shall be the duty of the superior court or any judge thereof on application of the commissioner of labor to compel obedience by proceedings as for contempt. A complete record shall be kept of all orders, rules or regulations made and adopted by the commissioner of labor.

In proceedings hereunder, commissioner of labor may administer oaths; summon witnesses *duces tecum*. Commissioner to keep record of all rules promulgated.

SECT. 11. Each witness who shall appear before the commissioner of labor shall receive for his attendance the fees and mileage provided for witnesses in attendance upon the superior court. The deposition of any witness within or without the state taken in the manner prescribed by law for depositions in civil actions, may be used in any proceeding for review or appeal.

Witness fees for attendance before commissioner. Depositions for use in hearings before commissioner.

SECT. 12. For the purpose of inspecting factories and workshops the commissioner of labor shall have the power, subject to the approval of the governor and council, to employ not exceeding two competent persons, who shall be known as factory inspectors, and their compensation shall be fixed by the commissioner of labor, subject to the approval of the governor and council. The commissioner of labor shall also have the power, subject to the approval of the governor and council, to employ such other assistants as may be necessary to the proper discharge of his duties. It shall be the

Factory inspectors, how appointed; salary. Labor commissioner empowered to enforce all laws relating to factories and workshops.

duty of the commissioner of labor to administer and enforce, so far as not otherwise provided for in the statutes, all laws relating to factories or workshops, and all valid orders, rules or regulations, and he shall receive as compensation for his services rendered under the provisions of this act such sum as shall be required to make the total of his annual compensation under this and all other acts the sum of twenty-five hundred dollars.

Employer not to be prosecuted until failure to comply with order of commissioner, within reasonable time. Penalty.

SECT. 13. No prosecution against any employer shall be commenced under this act unless or until the commissioner of labor shall have first made an order in accordance with the provisions of this act and the employer affected thereby shall have had a reasonable opportunity to comply therewith.

Any employer who shall omit or neglect to obey, observe or comply with any lawful order, rule or regulation made in pursuance of this act shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars. If any person shall wilfully violate the provisions of section 3 of this act, he shall be punished by a fine of not less than ten dollars nor more than one hundred dollars.

Employers to inform commissioner in writing of name, address, business and number employed. Penalty for failure.

SECT. 14. Every employer subject to the provisions of this act shall within thirty days after the same shall take effect send by mail to the commissioner of labor a statement setting forth his name, address, business and approximate number of employees of such employer, and every such employer thereafter starting in business shall immediately send to the commissioner of labor a like statement. Any such employer wilfully neglecting to comply with the provisions of this section shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars.

Takes effect June 30, 1917.

SECT. 15. This act shall take effect June 30, 1917.

[Approved April 18, 1917.]

## CHAPTER 184.

## AN ACT IN RELATION TO FISH AND GAME.

## SECTION

1. "Angling" defined.
2. "Resident" defined.
3. Transportation of game and fish regulated.
4. Penalty revised.
5. Deer, open season.
6. Deer, manner of taking.
7. Deer hunting dog; confinement of, except when used in hunting foxes.
8. Hares and rabbits, open season. Exception in favor of property owner when suffering actual damage.
9. Hares, taking of more than five in one day, prohibited.
10. Trapper, civil liability for damage to domestic animals.
11. Snaring of fur-bearing animals prohibited.
12. Wild duck hunting by jack-light, penalty for.
13. Brook trout, open season. Certain waters closed. Length and quantity taken limited. Lake trout and salmon, catch limited to six in one day. Persons present when law violated, regarded as principals, when.
14. Lake trout, taken from Stinson lake in Rumney, length limited.
15. Pickerel, catching of, regulated.
16. Smelt, may be taken for bait in four foot dropnet.
17. Hand nets, dip nets, and minnow traps, use of regulated.
18. Horned-pouts, open season.
19. One line in hand, for shad, and ten unattended for cusk, permitted. Six lake trout limit for one day fishing through ice.
20. License to fish and hunt required when. How obtained. Fees. Women, children under sixteen and blind persons exempted.
21. Licensee to have license on his person when fishing or hunting; and exhibit it on demand.

## SECTION

22. Breeders of fish and game, to secure permit from commissioner. Sale of product. Penalty. Larceny of product, and penalty.
23. Taking game by poisoning, prohibited; penalty.
24. Commissioner empowered to close any waters in state, after public notice and hearing.
25. State game preserve authorized.
  - (a) Area and location.
  - (b) Commissioner may order close season as to.
  - (c) Use of preserve.
  - (d) Deputy authorized to aid in maintenance.
  - (e) Notice of close season as to, how given.
  - (f) Expense of maintenance, how met.
  - (g) Hunting on, prohibited.
  - (h) Presence with firearms on *prima facie* evidence of violation of law.
  - (i) Penalty.
26. Game not to be shot from motor vehicle. Act not to be construed to prevent transportation of person and arms to and from hunting grounds. Penalty.
27. Institutions of learning may take fish and game for museum, at any time, on approval of commissioner.
28. Crops and fruit trees damaged by wild game, compensation, how obtained.
29. Black breasted and golden plover; greater and lesser yellow-legs, open season on.
30. Wild duck and geese, coots, gallinules and jacksnipe; rails; open season on.
31. Woodcock, open season on.
32. Lobsters, taking of, within waters of N. H. by persons not resident in N. H. six months prohibited. Penalty.
33. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 1 of chapter 133 of the Laws of 1915, "Angling" defined, by striking out the definition of angling, and inserting in its place a definition to read:



Angling: The taking of fish by line in hand, or rod in hand, to which is attached a cast of artificial flies, or an artificial bait, or one hook for bait. A person may have in use not more than two such lines at one time. Nothing in this act shall be construed as prohibiting the use of a rod holder.

"Resident"  
defined.

SECT. 2. Amend section 1 of chapter 133, Laws of 1915, by striking out the definition of resident, and inserting in its place a new definition to read:

Resident: A person who is a citizen of the United States and whose domicile is in the state of New Hampshire.

Transportation  
game and fish  
regulated.

SECT. 3. Amend section 4 (a) of chapter 133 of the Laws of 1915 by striking out all of said paragraph after the word carrier, in line seven, and inserting in place thereof the following: Unless the same is either accompanied by the owner thereof, or in a package marked as herein provided, shall constitute a violation of this section by such person or common carrier, so that said paragraph shall read as follows: (a) No common carrier, or person in its employ while engaged in such business of common carrier, shall transport wild game or fish, or any part thereof, as owner. The reception or possession of game or fish protected by law, or any part thereof, for shipment, by a person or common carrier within the state, or by a person in its employ while engaged in the business of such common carrier, unless the same is either accompanied by the owner thereof, or in a package marked as herein provided, shall constitute a violation of this section by such person or common carrier.

Amend section 4, paragraph b, by striking out the words "in one day" from line two, and the words "in one day" from line three, so that said paragraph shall read: (b) A person if accompanying the same may transport within the state, during the open season therefor, the number or limit of wild game or fish that he may lawfully take. If such game or fish be placed in the custody of a common carrier or transported in a package, the said game or fish, or package containing the same, shall have affixed thereto a tag plainly marked with the kind and number of such game or fish, the names of the consignor and the consignee, the initial point of billing, and the destination.

Penalty revised.

SECT. 4. Amend section 9, paragraph b, chapter 133, Laws of 1915, by inserting after the word "fined" in line two, the words not to exceed, so that said paragraph shall read: (b) A person who violates a provision of paragraph (a) shall be fined not to exceed one hundred dollars for each offense.

Deer, open season.

SECT. 5. Amend section 14 (a) of chapter 133, Laws of 1915, by striking out the entire paragraph and inserting in place thereof a new paragraph to read as follows: (a) Wild deer may be captured or taken after 5 a. m. and before 6 p. m. as follows: in the county of Coos, from the fifteenth day of October to the sixteenth

day of December; in the counties of Grafton and Carroll, except the town of Moultonborough, from the first day of November to the sixteenth day of December; in the counties of Sullivan, Cheshire, and Rockingham, from the first day of December, to the sixteenth day of December; in the county of Hillsborough from the fifteenth day of December to the first day of January; in the counties of Belknap and the town of Moultonborough in Carroll, Merrimack and Strafford from the fifteenth day of November to the sixteenth day of December.

SECT. 6. Amend section 14 (c) of chapter 133, Laws of 1915, by striking out the whole thereof and inserting in its place the following, so that said paragraph shall read: (c) Wild deer shall not be taken with the aid of, or by the use of a dog, jack, artificial light, trap, snare, or salt lick; nor shall wild deer be taken by the use of any firearm other than a shotgun loaded with a single ball, or loose buckshot, within the counties of Hillsborough, Rockingham, Belknap, or Merrimack, with the following exceptions: The towns of Windsor, Hillsborough, Bennington, Deering, Frances-town, Weare, Antrim, Hancock, and Peterborough in the county of Hillsborough; the towns of Andover, Wilmot, Danbury, Hill, New London, Sutton, Bradford, Warner, Salisbury, Newbury, Webster, and Henniker in the county of Merrimack, and the towns of Sanbornton and New Hampton, in the county of Belknap. Deer, manner of taking.

SECT. 7. Amend section 14 (f) of chapter 133, Laws of 1915, by striking out in lines seven and eight the words "no person shall harbor or have in his possession a dog used for the purpose of hunting deer," and by inserting in the fourth line of said paragraph after the word "owner" the words or keeper, and by adding at the end of said paragraph the following clause, nothing in this section shall be construed as prohibiting the hunting of fox by dog and gun during the open season for deer, so that said paragraph shall read: (f) Dogs of the breed commonly used for hunting deer, and dogs that will hunt or pursue deer or sheep, shall not be permitted by the owner or keeper thereof to run at large unaccompanied by their owner or keeper; and if such dog be found hunting, pursuing, or killing deer or sheep, it shall be *prima facie* evidence that such dog was permitted to run at large in violation of the provisions of this section. The presence of a hound dog or bitch, so at large, or in a hunting camp or logging camp during the open season for hunting deer, shall be presumptive evidence of its unlawful use. Nothing in this section shall be construed as prohibiting the hunting of fox by dog and gun during the open season for deer. Deer hunting dog; confinement of, except when used in hunting foxes.

SECT. 8. Amend section 15 (a) of chapter 133, Laws of 1915, by striking out all of said paragraph following the words "crops and fruit trees" in the fifth line so that said paragraph shall read: (a) Hares and rabbits may be taken and possessed from October Hares and rabbits, open season. Exception in favor of property owner when suffering actual damage.

first to March first. The owner of lands, his tenant or employee, may take at any time and in any number hares and rabbits which are found doing actual and substantial damage to his annual crops and fruit trees.

Hares, taking of more than five in one day, prohibited.

SECT. 9. Amend section 15 (b) of chapter 133, Laws of 1915, by striking out the words "or rabbits" in line two, so that said paragraph shall read: (b) A person may take in one day not more than five hares except as provided in paragraph (a).

Trapper, civil liability for damage to domestic animals.

SECT. 10. Amend section 17 (c) of chapter 133, Laws of 1915, by adding the following clause: Any person causing injury or damage to domestic animals by the aid or use of traps shall be liable to the owner for such injury or damage so that said paragraph shall read: (c) No person shall set or arrange any trap or snare upon any land of which he is not the owner or legal occupant, and all metal traps shall have stamped or engraved thereon in a legible and permanent manner the name of the person setting them. A person shall visit his traps at least once in every twenty-four hours. A person who sets or causes to be set a bear trap shall build in a substantial manner and maintain three-quarters around the same a railing or guard not less than three feet high, and shall protect the entrance to such enclosure against domestic animals by placing a pole horizontally across such entrance at the height of three feet from the ground. No person shall set or use at any time any device the object of which is to discharge a firearm for the purpose of taking fur-bearing or other animals. Any person causing injury or damage to domestic animals by the aid or use of traps shall be liable to the owner for such injury or damage.

Snaring of fur-bearing animals prohibited.

SECT. 11. Amend section 17 of chapter 133, Laws of 1915, by adding a new paragraph thereto, to read as follows: (e) No person shall set or use a snare for the purpose of taking fur-bearing animals.

Wild duck hunting by jack-light, penalty for.

SECT. 12. Amend section 27 of chapter 133, Laws of 1915, by inserting after the words "wild ducks" the words not exceeding, so that said section shall read: SECT. 27. A person who violates a provision of this part is guilty of a misdemeanor and shall be fined as follows: For each violation of the provision prohibiting jacking wild ducks, not exceeding one hundred dollars and five dollars additional for each duck so taken or possessed; and for every other violation of a provision of this part, ten dollars and five dollars additional for every bird taken, possessed, or had in possession in violation thereof.

Brook trout, open season. Certain waters closed. Length and quantity taken limited. Lake trout and salmon, catch limited to six in

SECT. 13. Amend section 28 (a) of chapter 133, Laws of 1915, by inserting after the word "lakes" in line nine, the following: Except that such trout may not be taken and possessed from the waters of Russell Pond, in the town of Woodstock, prior to May twentieth in any year, so that said paragraph shall read as fol-



lows: (a) Brook or speckled trout not less than ten inches in length may be taken and possessed from April fifth to September first from Sunapee Lake, Newfound Lake, Crystal Lake in Enfield, Tewksbury Pond in Grafton, and Pleasant Pond in New London; brook trout not less than seven inches in length may be taken and possessed from May first to August first from Dublin Pond in Dublin; brook trout not less than seven inches in length may be taken and possessed from April fifteenth to September first from all other ponds and lakes; except that such trout may not be taken and possessed from the waters of Russell Pond, in the town of Woodstock, prior to May twentieth in any year; brook trout not less than five inches in length may be taken and possessed from May first to September first from the streams in Coos, Carroll, and Grafton counties; brook trout not less than five inches in length may be taken and possessed from April first to August first from all other streams of this state. *Provided, however,* there shall be no open season for brook trout between May first, 1915, and May first, 1920, in any brooks or tributaries emptying into Nash stream or Nash stream bogs, situated in the county of Coos, except the pond and flowage on Pond Brook.

Amend section 28 (f) of said chapter 133 by striking out the whole thereof and inserting in its place the following, so that said paragraph shall read as follows: (f) A person may take, between one hour before sunrise and two hours after sunset, in one day, a total of not more than ten pounds of brook trout and a total of not more than twenty pounds of salmon, aureolus and lake trout; *provided, however,* that the taking of one fish additional weighing less than the number of pounds specified in the weight catch-limit, shall not be regarded as violation of this section; and *further provided* that no person, and no party irrespective of the number of persons therein, trolling from any one boat, upon any of the fresh waters of this state, shall take or kill more than six lake trout or salmon, or both, in any one calendar day, and for the purposes of this act, each member of the party and the person or persons in charge of the boat present when any violation of this section takes place, shall all be regarded as principals and each be liable for the penalty hereinafter prescribed.

SECT. 14. Amend section 28 (c) of chapter 133 of the Laws of 1915, by adding thereto the following clause: Except that lake trout not less than twelve inches in length may be taken and possessed during said period from the waters of Stinson Lake in the town of Rumney, so that said paragraph shall read: (c) Lake trout not less than fifteen inches in length may be taken and possessed from January first to September first. Except that lake trout not less than twelve inches in length may be taken and possessed during said period from the waters of Stinson Lake in the town of Rumney.

one day. Persons present when law violated, regarded as principals, when.

Lake trout, taken from Stinson lake in Rumney, length limited.



Pickereel, catching  
of, regulated.

SECT. 15. Amend section 32 (b) of chapter 133 of the Laws of 1915 by striking out the whole thereof and inserting in its place the following, so that said paragraph shall read as follows: (b) Pickereel of any size and in any quantity may be taken and possessed from Sunapee Lake, Crystal Lake in Enfield, Tewksbury Pond in Grafton, Elbow Pond in Woodstock, Partridge Lake in Lyman and Littleton, Pearl Lake in Lisbon, Merry Meeting Pond in New Durham, Big Dan Hole Pond in Ossipee and Tuftonboro, and from the waters in Coos county at any time. Pickereel not less than twelve inches in length may be taken from Lakes Winnepesaukee, Massabesic, Winnisquam, Asquam, Wentworth, Spofford, and the Connecticut river in Cheshire county, from June first to April first.

Smelt, may be  
taken for bait in  
four foot dropnet.

SECT. 16. Amend section 34 (a) of chapter 133, Laws of 1915, by adding the following: or for bait by means of a circular dropnet not more than forty-eight inches in diameter, so that said paragraph shall read: SECT. 34. (a) Fresh water smelt may be taken and possessed by means of a dipnet held in hand or for bait by means of a circular dropnet not more than forty-eight inches in diameter.

Hand nets, dip  
nets, and minnow  
traps, use of  
regulated.

SECT. 17. Amend section 38 of chapter 133, Laws of 1915, by inserting after the words "in length" in line three the following: or a circular dropnet not more than forty-eight inches in diameter, so that said section shall read: SECT. 38. A dipnet held in hand may be used to assist in the taking of fish attached to a line. Minnow nets not exceeding fifteen feet in length or a circular dropnet not more than forty-eight inches in diameter may be used for taking minnows for bait from waters not inhabited by trout. Minnow traps may be set for taking minnows for bait in waters inhabited by trout, *provided* that no such trap shall exceed eighteen inches in length and that the aperture therein for the entrance of fish shall not exceed one inch in diameter.

Horned-pouts,  
open season.

SECT. 18. If any person shall take from the waters of New Hampshire any cat-fish, commonly called horned-pout or bull-head, except between the first day of June and the first day of November of any year, he shall be punished by a fine of five dollars (\$5) for each fish so taken.

One line in hand,  
for shad, and ten  
unattended for  
cusk, permitted.  
Six lake trout  
limit for one day  
fishing through  
ice.

SECT. 19. Amend section 40 (b) of chapter 133, Laws of 1915, by adding after the words "left unattended" in line seven, the following clause, Nothing in this section shall be construed as prohibiting fishing for lake trout or shad through the ice with one line in hand, in addition to ten unattended cusk lines, so that said paragraph shall read: (b) Lake trout, pike perch, perch, shad, white fish, pickereel, and cusk may be taken through the ice, during the open season therefor, with hook and line, tip-ups, or bobs; but no person shall have in use or control at the same time more than ten tended lines, tip-ups, or bobs, and such person shall be present

and have personal control over the same, except that such devices for taking cusk may be set and left unattended. Nothing in this section shall be construed as prohibiting fishing for lake trout or shad through the ice with one line in hand, in addition to ten unattended cusk lines. No person shall take more than six trout through the ice in any one day.

SECT. 20. Amend sections 54 and 55 of chapter 133 of the Laws of 1915, by striking out both sections and substituting therefor new sections to read as follows:

License to fish  
and hunt re-  
quired when.  
How obtained.  
Fees. Women,  
children under  
sixteen and blind  
persons exempted.

#### Part VI. Licenses.

SECT. 54. No person shall at any time hunt, trap, shoot, pursue, take or kill wild animals, wild birds, or fresh water fish in this state, without first having procured a license so to do, as hereinafter provided; and then only in accordance with the terms thereof and subject to all other provisions of this act. *Provided, however,* that the resident owners of farm lands, and their minor children, may hunt, trap, kill, and take game on farm lands of which they are *bona fide* owners, during the open season when it shall be lawful so to do, and may kill predatory animals as permitted under the provisions of this act, and noxious animals not protected by law at any time, without procuring a license. *Provided also,* however, that a resident of any city or town in the state of New Hampshire may take and possess fresh water fish during the open season, when it shall be lawful so to do, from any waters wholly or partially situate in the town or city in which he has his domicile without procuring a license so to do.

SECT. 55. Such license shall be issued by the commission or by agents, under such rules and regulations, and in such form as may be prescribed by the commission, to persons sixteen years of age or over, and to persons under sixteen years of age with the consent in writing of the parent or guardian of such child. No such license shall be granted to any child under thirteen years of age; *provided, however,* that a child under thirteen may hunt without a license when accompanied by parent or guardian who has secured a license according to the provisions of this act. Any child resident or non-resident, under the age of sixteen, and any woman, resident or non-resident, may take and kill fresh water fish without procuring a license so to do. The state treasurer shall supply the commission with books containing consecutively numbered licenses having duplicate stubs, upon which shall be recorded the date when the license was issued, and the name of the person to whom issued. Such license shall contain the name, age, color of hair and eyes, and residence of the licensee. The applicant shall fill out and subscribe to a blank to be furnished by the commission to said agent and pay him the following fees:

(a) If the applicant is a resident of this state he shall pay the sum of one dollar and the agent shall thereupon issue a resident hunting and fishing license showing the date issued, which shall entitle the licensee to hunt, shoot, kill, take and transport game birds, animals and fish under the restrictions of this act, subject to the suspension of the hunting season by the governor.

(b) If the applicant is a non-resident he shall pay the sum of fifteen dollars, and said agent shall thereupon issue a non-resident hunting and fishing license showing the date when issued, which shall entitle the licensee to hunt, trap, shoot, kill, take and transport game birds, animals and fish, including deer, under the restrictions of this act, subject to the suspension of the hunting season by the governor.

(c) If the applicant is a non-resident and wishes to take fresh water fish only, he shall pay the sum of one dollar, and said agent shall thereupon issue a non-resident fishing license showing the date when issued, which shall entitle the licensee to kill, take and transport fresh water fish under the restrictions of this act. Said agent shall account to the commission for eighty-five cents for each and every resident hunting and fishing license issued, fourteen dollars and eighty-five cents for each and every non-resident hunting and fishing license issued, and eighty-five cents for each and every non-resident fishing license issued, and shall on the first day of each month pay such sums to the commission, to be by it paid over to the state treasurer, and credited to the fish and game fund. Agents shall return to the commission, within ten days after the close of the current year, all unused license blanks with a statement of the amount remitted on license account during the year. The commission and agents shall be held responsible to the state treasurer for the face value of all license blanks supplied to them until settlement has been made at the end of the fiscal year.

(d) All blind persons, residents or non-residents, shall be allowed to catch, kill, take, and transport fresh water fish within the state without a license.

Licensee to have license on his person when fishing or hunting; and exhibit it on demand.

SECT. 21. Amend section 59 of chapter 133 of the Laws of 1915, by inserting after the word "kill" in line two, the words catch, take and after the word "game" in line two, the word fish, and after the word "trapping" in line four, the word fishing, so that said section shall read: SECT. 59. No person to whom a license has been issued as hereinbefore provided shall hunt, trap, shoot, kill, catch, take or transport game, fish, or wild animals, nor use a gun for hunting in this state, unless at the time of such hunting, trapping, fishing, shooting, killing, taking or transporting, or using such gun, such person has such license on his person. Such person shall exhibit such license on demand to any person for inspection.

SECT. 22. Propagation of fish and game. The commissioner is authorized to issue permits to propagate fur-bearing animals, game and fish and he shall make and publish rules governing such industry. The application for a breeder's permit shall be in writing addressed to the commissioner; shall be signed by the applicant and shall describe the lands or waters owned or leased by such breeder and such other facts as may be required by the commissioner. When it appears that the application is made in good faith the commissioner may issue said permit upon the payment of a fee of two dollars and fees for tagging, which shall be paid to the commissioner and by him transmitted to the state treasurer, to be credited to the fish and game fund. Breeders shall be permitted to sell and transport such fur-bearing animals, game and fish, at all times. Such fur-bearing animals game or fish shall be properly identified either by marking the packages or by individual tagging as may be prescribed by the commissioner. A breeder selling fur-bearing animals, game or fish procured from lands outside his premises as described in his permit or who violates a regulation made by the commissioner, shall forfeit his permit and be fined not exceeding one hundred dollars and in addition thereto shall be fined or imprisoned as prescribed for the violation of the laws relating to fur-bearing animals, game or fish. A person owning a natural pond of not more than ten acres or an artificial pond entirely upon his premises stocked at his own expense with fish artificially hatched or reared, and who holds a breeder's permit in which said pond is included, may take fish from such natural or artificial pond at any time for the purpose of propagation or consumption as food on his premises. Any person who shall take any fur-bearing animal, game or fish from any lands or waters included within the description in any breeder's permit, without the permission of the holder of such permit, shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days.

Breeders of fish and game, to secure permit from commissioner. Sale of product. Penalty. Larceny of product, and penalty.

SECT. 23. It shall be unlawful to take or attempt to take any game quadruped, game bird, or fur-bearing animal, by the use of poison in any form whatsoever. Any person violating the provisions of this section is guilty of a misdemeanor, and shall be fined for each violation thereof a sum not to exceed one hundred dollars.

Taking game by poisoning, prohibited; penalty.

SECT. 24. To authorize the fish and game commission to close waters against fishing. The fish and game commission is hereby empowered to close any of the waters of this state against fishing for such period or periods as shall appear to it, after public notice and hearing, advisable.

Commissioner empowered to close any waters in state, after public notice and hearing.

SECT. 25. To provide for the establishment of state bird and game sanctuaries and the protection and propagation of wild birds and quadrupeds.

State game preserve authorized.

(a) For the purpose of protecting any species of useful wild birds or quadrupeds and for aiding the propagation thereof, the

Area and location.



fish and game commission with the consent of the owners may control any land, water or shore to an extent of not more than one thousand acres in any one tract or the right to use the same, including the right of the public in such land or on such water or shore, as a bird and game sanctuary.

Commissioner  
may order close  
season as to.

(b) For the purposes aforesaid the said commission upon a petition filed with it by one or more owners of land, water or shore, if satisfied of the suitable character and situation of the same, may, with the consent of the owners, order a close season for one or more periods, not exceeding ten years each, on all wild birds and quadrupeds within the area or any part thereof specified in the petition. Before making any order under such petition, the commission shall give a public hearing upon the matter at some place in or near the territory under consideration, of which meeting notice shall be given by publication once a week for three successive weeks in one or more newspapers published in the county or counties embracing the territory, the last publication to be at least seven days prior to the time fixed for the hearing.

Use of preserve.

(c) In respect to any territory controlled as above provided or any territory upon which a close season has been ordered as above provided, the said commission may, with the consent of the owner, make such use of land, water or shore within the territory as he may deem best for the purpose of improving the feeding and nesting environment of birds or game, and may from time to time make such rules and regulations relating to such territory as may seem to him proper, and such rules and regulations when approved by the governor and council shall have the force of laws. The said commission is authorized to liberate birds within the limits of the said reservations, and, when in its opinion such action is advisable, to co-operate with landowners within such territory in experiments in the propagation of birds or quadrupeds.

Deputy author-  
ized to aid in  
maintenance.

(d) The said commission may appoint deputies to enforce the provisions of this act and any rules and regulations made hereunder, and may authorize in writing any such deputy or the owner or occupant of any land within any such territory to hunt, pursue, trap, snare, or kill within the said territory and under the direction of the said commission any quadrupeds or birds which it may consider harmful to birds and game or to agriculture, or to take or remove the nests or eggs of any such bird.

Notice of close  
season as to, how  
given.

(e) If an order is made by the commission as aforesaid establishing a close season or a sanctuary as above provided, the commission shall cause a copy of the order to be published once a week for three successive weeks in one or more newspapers published in the county or counties embracing the territory, and shall cause copies of the order to be posted in conspicuous places within the cities or towns in which the territory is situated, and also within the limits of the territory itself. If a great pond or any part

thereof or any seashore is included within the territory as to which a close season is ordered as aforesaid, a copy of the order shall be filed in the office of the clerk of each city or town bordering upon the pond or seashore, and also in the office of the secretary of state. An order made by the commission in accordance with the provisions thereof shall take effect when it is published and posted as above provided. Any order made in accordance with the provisions hereof shall contain a full description of the territory so established, and the period for which it is closed.

(f) The commission may annually expend, in carrying out the provisions of this act, such sum as the legislature may appropriate, which shall be paid out of any funds not otherwise appropriated; and also such sums out of the fish and game fund, as may be determined by the commission, with the advice and consent of the governor and council. Expense of maintenance, how met.

(g) Whenever a territory has been established as a preserve or when a close season has been established upon a territory by an order as above provided, it shall be unlawful for any person except as above provided, to molest, hunt, pursue, take or kill any bird or quadruped within the said territory, or therein to disturb or injure any nest, eggs or young or to remove the eggs or young from the nest. Hunting on, prohibited.

(h) The entrance of any person with a firearm or any device adapted for killing or injuring birds or quadrupeds or with a trap or snare upon any territory established as a sanctuary, or upon any territory upon which a close season has been established, according to the provisions of this section, shall be *prima facie* evidence of a violation of the provisions of this section. Presence with firearms on, prima facie evidence of violation of law.

(i) Whoever violates any provision of this section or of any rule or regulation made hereunder shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than sixty days, or both such fine and imprisonment. Penalty.

SECT. 26. To prohibit shooting from automobiles, motor cycles, or other motor vehicles. Game not to be shot from motor vehicle. Act not to be construed to prevent transportation of person and arms to and from hunting grounds. Penalty.

(a) Wild deer, ruffed grouse or partridge, quail, woodcock, or any other wild game or birds, shall not be taken from an automobile, motorcycle, or other motor vehicle during the open season for such game or birds. The presence of a person, possessed of a loaded firearm, in such automobile, motorcycle or other motor vehicle shall be presumptive evidence that he has violated the provisions of this section.

(b) Nothing in this act shall be construed to prohibit the transportation, to and from the hunting grounds, of anything except as herein provided, in any form of motor vehicle whatever.

(c) A person who violates a provision of this section is guilty of a misdemeanor and shall be fined as follows: For each violation

of the provision in regard to deer, one hundred dollars; for each violation of the provision in regard to ruffed grouse or partridge, quail, or woodcock, ten dollars, and five dollars additional for every bird so taken; for all other game or birds, not specifically mentioned, such sum for each game quadruped, or bird so taken, as is prescribed for a violation of the closed season, in such instance.

Institutions of learning may take fish and game for museum, at any time, on approval of commissioner.

SECT. 27. To enable colleges to obtain biological specimens for educational purposes. Institutions of learning of the collegiate rank may, through duly authorized agents, regardless of any fish and game laws, secure for mounting for their museums specimens of any and all kinds of wild animals, birds and fish, subject to the approval of the fish and game commission.

Crops and fruit trees damaged by wild game, compensation, how obtained.

SECT. 28. Amend section 8 of chapter 133, Laws of 1915, by striking out the whole thereof and inserting in place thereof the following: SECT. 8. A person who suffers loss or damage to annual crops or fruit trees by game birds and game quadrupeds protected by law may, within five days after such damage occurs, notify in writing the commission, who shall investigate the case and determine whether such loss or damage was caused by such birds or quadrupeds. If it so determines, it shall cause said loss or damage to be appraised by the board of selectmen of the town in which such property is located. The board of selectmen shall return to the commission a certificate under oath of the amount of such loss or damage. Said certificate shall be returned to the state treasurer by said commission, and the governor is authorized to draw his warrant upon the fish and game fund for the amount of the appraisal, *provided, however*, that if either party is dissatisfied with said appraisal he may appeal to the governor and council, who may modify or correct the same as justice may require.

Black breasted and golden plover; greater and lesser yellow legs, open season on.

SECT. 29. Amend chapter 133, Laws of 1915, by striking out all of section 21, and inserting in place thereof the following section: SECT. 21. Black breasted and golden plover, greater and lesser yellow legs, may be taken and possessed from August sixteenth to December first.

Wild duck and geese, coots, gallinules and jacksnipe; rails; open season on.

SECT. 30. Amend chapter 133, Laws of 1915, by striking out all of section 22 (a) and inserting in place thereof the following paragraph: (a) Wild duck and geese, coots, gallinules and jack snipe may be taken and possessed from September sixteenth to January first. Rail may be taken and possessed from September first to December first.

Woodcock, open season on.

SECT. 31. Amend chapter 133 of the Laws of 1915, by striking out all of section 20 (b) and inserting in place thereof the following paragraph: (b) Woodcock may be taken and possessed from October first to December first.

Lobsters, taking of, within waters of N. H. by persons not resident in N. H. six

SECT. 32. In regard to taking lobsters in New Hampshire waters. (a) No person shall take lobsters from the waters of New Hampshire unless he is, and has been for six months, a resident of



this state. (b) Any violation of this act shall be punished by a months prohibited. Penalty.  
fine not exceeding one hundred dollars.

SECT. 33. All acts and parts of acts inconsistent with this act Repealing clause;  
are hereby repealed, and this act shall take effect upon its passage. takes effect on passage.

[Approved April 19, 1917.]

CHAPTER 185.

AN ACT FOR THE REGULATION OF THE SALE AND USE OF EXPLOSIVES  
AND FIREARMS.

SECTION

1. Dealers in firearms and explosives to be licensed by selectmen of towns, and chief of police in cities, and county commissioners in unorganized townships. License to specify the building where business is to be done.
2. Sale of firearms and explosives to aliens regulated.
3. Dealers to keep record of sales; open to inspection by public authorities. High explosives sold to be labeled.
4. Purchaser of high explosive to secure permit to buy same. Application to state use, etc. Issued by whom.

SECTION

5. Penalties.
6. Aliens not to have firearms without permit. How obtained.
7. Penalty.
8. License or permit to expire, when. Non-transferable. Revoked for what.
9. Enforcement by police of cities, selectmen of towns, and county commissioners in unorganized towns. Secretary of state to furnish blanks.
10. Act not to apply to sales to military or naval forces.
11. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. No person shall manufacture, sell, or deal in fire- Dealers in  
arms or in gunpowder, dynamite, nitro-glycerine or other form of firearms and ex-  
high explosive, unless he shall first obtain, from the selectmen of plosives to be  
the town or the chief of police of the city where such business is to licensed by select-  
be conducted, a written license therefor, and no person shall con- men of towns,  
duct such business within the state but outside the limits of any and chief of police  
organized town or city, unless he shall first obtain such license from in cities, and  
the county commissioners of the county in which such business is county commis-  
to be conducted; which license shall specify the building where such sioners, in unor-  
business is to be carried on or material deposited or used. ganized town-  
ships. License to  
specify the  
building where  
business is to be  
done.

SECT. 2. No such licensed person shall sell or deliver firearms Sale of firearms  
to any person not a citizen of the United States, unless he shall have and explosives to  
legally declared his intention of becoming such citizen, or any such aliens regulated.

explosive material or compound to any person, except upon pres-  
entation of a permit such as is hereinafter provided for, nor unless  
satisfied that the same is to be used for a lawful purpose.



Dealers to keep record of sales; open to inspection by public authorities. High explosives sold to be labeled.

SECT. 3. Every person so licensed shall keep, on blanks to be furnished by the secretary of state, a record of the names and residences of all persons to whom he shall sell or deliver firearms or any such explosive material or compound, the purpose for which the same is to be used, the date of sale, the amount paid, the date of the purchaser's permit, the name and title of the person by whom the permit was issued, and, within five days after every such sale or delivery, shall file such record thereof with the clerk of the city or town wherein the sale or delivery was made, or with the county commissioners in case of sales or deliveries within the state, but outside the limits of any organized city or town. The records thus filed shall at all times be open to the inspection of the police departments, or other public authorities. He shall also affix to the receptacle containing such explosive material or compound a label with the name of the compound, his own name and the date of sale.

Purchaser of high explosive to secure permit to buy same. Application to state use, etc. Issued by whom.

SECT. 4. No person shall procure, transport, use or have in his possession any gunpowder, dynamite, nitro-glycerine or other form of high explosive without first obtaining a written permit to do so, from the chief of police of the city or selectmen of the town in which he resides, or from the county commissioners of the county in which he resides, if he resides within the state but outside the limits of any organized city or town, or from the chief of police of the city, or selectmen of the town or county commissioners of the county in which such explosive is to be procured, transported or used if he is not a resident of the state. Any person desiring such permit shall make written application therefor, stating the purpose for which the explosive material or compound is to be used and the kind and quantity desired, together with his full name, occupation and place of residence including the street and number, if any. If the officer or officers to whom the application is made are satisfied that the applicant intends to use the explosive in a lawful manner, and as set forth in his application, such permit, signed by such officer or officers, shall be issued to such applicant. No person shall have in his possession any such explosive material or compound unless he shall have such license or permit.

Penalties.

SECT. 5. If any person, firm or corporation shall manufacture or sell or deliver to any other person any firearms or any such explosive material or compound without first obtaining such license, or having such license shall fail to make and file such record of any such sale or delivery, or if any person, firm or corporation shall violate any other provision of this or any of the preceding sections of this act, he shall be punished by a fine not exceeding two hundred dollars or by imprisonment not exceeding two years, or both.

Aliens not to have firearms without permit. How obtained.

SECT. 6. No person not a citizen of the United States or one who has legally declared his intention of becoming such a citizen shall have in his possession any firearm or firearms of whatsoever

kind or description unless he has a written permit to have such possession issued and signed as hereinafter provided. Any such person desiring to possess a firearm or firearms for any lawful purpose shall first make written application to the chief of police or selectmen of the town wherein he resides, or to the county commissioners if he resides within the state but outside the limits of any organized city or town, stating the purposes for which the possession of the firearm or firearms is desired and a description of the firearm or firearms. The applicant shall also state his full name, occupation, place of residence, and if in a city the street and number. If such chief of police or selectmen or county commissioners are satisfied that the applicant intends to use the firearm or firearms in a lawful manner and as set forth in his application, a permit shall be issued, signed by the chief of police of the city, or selectmen of the town, or county commissioners, as the case may be, giving to the applicant the right to have in his possession such firearm or firearms. The holder of any such permit shall keep the permit on his person at all times when he has possession of the firearm or firearms as authority for such possession and shall exhibit the same when so requested by any person.

SECT. 7. Any person not a citizen of the United States or one Penalty. who has legally declared his intention of becoming such a citizen, who shall procure or have in his possession any firearm or firearms of any kind without having first obtained a permit as provided in section 6, or after such permit has been revoked, as hereinafter provided, shall be punished by a fine not exceeding two hundred dollars, or by imprisonment not exceeding two years, or both.

SECT. 8. Such license or permit may be issued for a stated time, or for a single transaction. In the discretion of the officer or officers by whom it is issued, but no license or permit shall be issued to cover a longer period than one year or a transaction to be completed more than one year after the date of the license. If any person to whom such license or permit has been issued shall use, or permit any other person to use, or connive at the use of any such firearm, explosive material or compound for any unlawful purpose, such license or permit may be revoked by the officer or officers by whom it was issued or by any justice of the superior court upon petition of any citizen.

SECT. 9. It shall be the duty of the police department of cities and of selectmen of towns to enforce the provisions of this act within their several cities and towns and of the county commissioners to enforce the same in the territory included in the several counties but not within any organized city or town, and to keep a record of all permits issued. The secretary of state shall on application of any dealer in gunpowder, or other high explosive, furnish the blanks herein provided for.

License or permit to expire, when.  
Non-transferable.  
Revoked for what.

Enforcement by police of cities, selectmen of towns, and county commissioners in unorganized towns.  
Secretary of state to furnish blanks.

Act not to apply to sales to military or naval forces.

Takes effect on passage.

SECT. 10. The provisions of this act shall in no way apply to sales to the military or naval forces of the United States or to the public or military authorities of the state.

SECT. 11. This act shall take effect upon its passage.

[Approved April 19, 1917.]

CHAPTER 186.

AN ACT IN AMENDMENT OF SECTIONS 10, 11, 12 AND 13 OF CHAPTER 195 OF THE PUBLIC STATUTES, AS AMENDED BY CHAPTER 113, LAWS OF 1901, CHAPTER 14, LAWS OF 1905, AND CHAPTER 31, LAWS OF 1915, RELATING TO THE RIGHTS OF THE HUSBAND OR WIFE, SURVIVING, IN THE ESTATE OF THE DECEASED HUSBAND OF WIFE.

SECTION

1. Widow's share in personal estate of deceased husband.
2. Widow's share in real estate of deceased husband.
3. Husband's share in personal estate of deceased wife.

SECTION

4. Husband's share in real estate of deceased wife.
5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Widow's share in personal estate of deceased husband.

SECTION 1. Amend section 10, chapter 195, of the Public Statutes, as amended by section 1, chapter 113, Laws of 1901, and section 1, chapter 14, Laws of 1905, and section 1, chapter 31, Laws of 1915, by striking out all of said section, as amended, after the word "administration" and inserting in place thereof the following: I. One-third part thereof, if he leaves issue surviving him. II. One-half thereof, if he leaves no issue surviving him. *Provided, however,* that if such remainder of his personal estate does not exceed in value the sum of five thousand dollars, then she shall be entitled to the whole thereof; but if such remainder of his personal estate shall exceed in value the sum of five thousand dollars, she shall be entitled to the sum of five thousand dollars of the value thereof, and also one-half in value of the remainder of his personal estate above said five thousand dollars, so that said section 10, as amended, shall read as follows: SECT. 10. The widow of a person deceased, testate or intestate, by waiving the provisions of his will in her favor, if any, shall be entitled, in addition to her dower and homestead right, as her distributive share, to the following portion of his personal estate, remaining after the payment of debts and expenses of administration: I. One-third part thereof, if he leaves



issue surviving him. II. One-half thereof, if he leaves no issue surviving him. *Provided, however,* that if such remainder of his personal estate does not exceed in value the sum of five thousand dollars, then she shall be entitled to the whole thereof; but if such remainder of his personal estate shall exceed in value the sum of five thousand dollars, she shall be entitled to the sum of five thousand dollars of the value thereof, and also one-half in value of the remainder of his personal estate above said five thousand dollars.

SECT. 2. Amend section 11, chapter 195, of the Public Statutes, as amended by section 2, chapter 113, Laws of 1901, and section 2, chapter 31, Laws of 1915, by striking out all of said section, as amended, after the word "administration," and inserting in place thereof the following: I. One-third part thereof, if he leaves issue surviving him. II. One-half thereof, if he leaves no issue what-

Widow's share in  
real estate of  
deceased husband.

ever surviving him. *Provided, however,* that if the value of said remainder of his real estate shall not exceed the sum of five thousand dollars, she shall be entitled to the whole thereof; but if such remainder of his real estate shall exceed in value the sum of five thousand dollars, she shall be entitled to the sum of five thousand dollars of the value thereof, and also one-half in value of the remainder of his real estate above said five thousand dollars, and the same shall be assigned to her in the same manner as dower is now assigned, so that said section 11, as amended, shall read as follows:

SECT. 11. The widow of a person deceased, testate or intestate, by waiving the provisions of his will in her favor, if any, and by releasing her right of dower and her homestead right, shall be entitled instead thereof, in fee, to the following portion of all the real estate of which he died seized, after the payment of debts and expenses of administration: I. One-third part thereof, if he leaves issue surviving him. II. One-half thereof, if he leaves no issue whatever surviving him. *Provided, however,* that if the value of said remainder of his real estate shall not exceed the sum of five thousand dollars, she shall be entitled to the whole thereof; but if such remainder of his real estate shall exceed in value the sum of five thousand dollars, she shall be entitled to the sum of five thousand dollars of the value thereof, and also one-half in value of the remainder of his real estate above said five thousand dollars, and the same shall be assigned to her in the same manner as dower is now assigned.

SECT. 3. Amend section 12, chapter 195, of the Public Statutes, as amended by section 3, chapter 113, Laws of 1901, and section 3, chapter 31, Laws of 1915, by striking out all of said section, as amended, after the word "administration" and inserting in place thereof the following: I. One-third part thereof, if she leaves issue surviving her. II. One-half thereof, if she leaves no issue surviving her. *Provided, however,* that if such remainder of her personal estate does not exceed in value the sum of five thousand

Husband's share  
in personal estate  
of deceased wife.



dollars, then he shall be entitled to the whole thereof; but if such remainder of her personal estate shall exceed in value the sum of five thousand dollars, he shall be entitled to the sum of five thousand dollars of the value thereof, and also one-half in value of the remainder of her personal estate above said five thousand dollars, so that section 12 as amended shall read as follows: SECT. 12. The husband of a person deceased, testate or intestate, by waiving the provisions of her will in his favor, if any, shall be entitled, in addition to his estate by the curtesy and homestead right, if any, as his distributive share, to the following portion of her personal estate remaining after the payment of debts and expenses of administration: I. One-third part thereof, if she leaves issue surviving her. II. One-half thereof, if she leaves no issue surviving her. *Provided, however,* that if such remainder of her personal estate does not exceed in value the sum of five thousand dollars, then he shall be entitled to the whole thereof; but if such remainder of her personal estate shall exceed in value the sum of five thousand dollars, he shall be entitled to the sum of five thousand dollars of the value thereof, and also one-half in value of the remainder of her personal estate above said five thousand dollars.

Husband's share  
in real estate of  
deceased wife.

SECT. 4. Amend section 13, chapter 195, of the Public Statutes, as amended by section 4, chapter 113, Laws of 1901, and section 4, chapter 31, Laws of 1915, by striking out all of said section, as amended, after the word "administration," and inserting in place thereof the following: I. One-third part thereof, to hold in fee, if she leaves issue by him surviving her. II. One-third part thereof, to hold during life, if she leaves issue surviving her, but not by him, and if he has no estate by the curtesy in her real estate. III. One-half thereof, to hold in fee, if she leaves no issue whatever surviving her. *Provided, however,* that if such remainder of her real estate does not exceed in value the sum of five thousand dollars, then he shall be entitled to the whole thereof; but if such remainder of her real estate shall exceed in value the sum of five thousand dollars, he shall be entitled to the sum of five thousand dollars of the value thereof, and also one-half in value of the remainder of her real estate above five thousand dollars, and the same shall be assigned to him in the same manner as dower is now assigned to a widow, so that said section 13, as amended, shall read as follows: SECT. 13. The husband of a person deceased, testate or intestate, by waiving the provisions of her will in his favor, if any, and by releasing his estate by the curtesy and his homestead right, if any, shall be entitled instead thereof, to the following portion of all the real estate of which she died seized, after the payment of debts and expenses of administration: I. One-third part thereof, to hold in fee, if she leaves issue by him surviving her. II. One-third part thereof, to hold during life, if she leaves issue surviving her, but not by him, and if he has no estate by the curtesy in her real estate. III.

One-half thereof, to hold in fee, if she leaves no issue whatever surviving her. *Provided, however,* that if such remainder of her real estate does not exceed in value the sum of five thousand dollars, then he shall be entitled to the whole thereof; but if such remainder of her real estate shall exceed in value the sum of five thousand dollars, he shall be entitled to the sum of five thousand dollars of the value thereof, and also one-half in value of the remainder of her real estate above five thousand dollars, and the same shall be assigned to him in the same manner as dower is now assigned to a widow.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved April 19, 1917.]

CHAPTER 187.

AN ACT FOR THE CONTROL OF THE WHITE PINE BLISTER AND OTHER FUNGUS OR INSECT PESTS.

SECTION	SECTION
1. Dangerous nature of subject declared, etc.	5. State nursery inspector empowered to enter lands near nurseries to determine presence of pest. To have same powers as state forester.
2. State forester to publish information of its nature, etc., and designate afflicted areas. Land owner to co-operate in effort to control it. Trees and bushes to be destroyed.	6. State nursery inspector empowered to prohibit transportation into the state of infected nursery stock or pine trees.
3. State forester empowered to enter infested areas to eradicate pest.	7. Expenses, how met.
4. Trees may be destroyed. Compensation.	8. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the fungus disease, *cronartium ribicola*, commonly known as the white pine blister, is hereby declared to be a dangerous fungus pest in all its stages; and it shall be the duty of the officials hereinafter named, to prosecute the measures hereinafter specified for the control of this pest.

Dangerous nature of subject declared, etc.

SECT. 2. The state forester, under the direction of the forestry commission, is hereby empowered and authorized to promulgate by letter, publishing, posting or other means, information concerning the white pine blister and to designate by the aforesaid means of promulgation, areas within the state in which control measures are necessary or advisable. It shall be the duty of every land owner within such designated area, to carry out such control measures as

State forester to publish information of its nature, etc., and designate afflicted areas. Land owner to co-operate in effort to control it. Trees and bushes to be destroyed.

are ordered by the state forester, including the removal and destruction of any or all plants of the genus *ribes*, commonly known as currants and gooseberries, and any white pine tree or trees, which are found to be infected with the blister. If such eradication is not begun forthwith by the property owner, the state forester or his authorized agents are hereby empowered to remove and destroy any or all currants and gooseberry bushes or diseased white pine trees from any public or private land within any such designated area; and within such area no person shall plant any currant or gooseberry bush or five needled pine tree without the permission of the state forester.

State forester empowered to enter infested areas to eradicate pest.

SECT. 3. The state forester or his authorized agents shall have the right to enter upon any public or private property to determine the presence or absence of the white pine blister in any of its stages, and to carry out the necessary eradication measures. The forestry commission and state forester may co-operate with departments of the federal government, the state department of agriculture, and the agricultural experiment station for the control or eradication of said disease in the state generally, and for the carrying out of such investigations as are deemed advisable by the commission.

Trees may be destroyed. Compensation.

SECT. 4. Any white pine trees or any currant or gooseberry bushes which are found to be infected with *cronartium ribicola* are hereby declared to be a public pest and any such diseased trees or plants and any and all wild plants of the genus *ribes* may be destroyed by order of the state forester or his authorized agents. If within any designated area, as specified in section 2, currants and gooseberries or white pine trees which are not infected with *cronartium ribicola*, are designated by the state forester or his agents and destroyed by his or their specific order, the owner may be compensated therefor; the damages to be assessed by the state forester or his agents at not to exceed the actual value of the material destroyed, and paid to said owner by the state treasurer upon authorization of the forestry commission. In lieu of money damages for any trees or bushes destroyed under this act the state forester may offer and the owner may accept forest planting stock to be furnished from the state forest nursery.

State nursery inspector empowered to enter lands near nurseries to determine presence of pest. To have same powers as state forester.

SECT. 5. The state nursery inspector, under the direction of the commissioner of agriculture, is hereby authorized and empowered to enter upon any land contiguous to or within the vicinity of any nursery within the state, for the purpose of determining the presence or absence of *cronartium ribicola* in any of its stages or other threatening fungus disease or insect pest, and within such area he shall have the same power and duties for the control and eradication of the white pine blister or its hosts as is vested in the state forester under sections 2 and 3 of this act, and shall have the power to enforce and carry out necessary measures for the control or eradication of other threatening insect pests or fungus diseases.



SECT. 6. The state nursery inspector, or the deputy commissioner of agriculture in charge of insect suppression, under the direction of the commissioner of agriculture, is hereby empowered to prohibit and prevent or regulate the entry into the state of New Hampshire or the movement within the state from any part thereof to any other part of any living five-leaved pine trees or any plants of the genus *ribes*, or other nursery stock or plants, which in his judgment may cause the introduction or spread of a dangerous insect pest or plant disease. The said officials are hereby authorized to issue such orders, notifications and permits as may be necessary to carry out the provisions of this section, and any person violating any of the provisions of sections 5 and 6 shall be subject to the same penalty as specified in section 7 of chapter 43, Laws of 1903. The expenses necessary for carrying out sections 5 and 6 of this act shall be paid from the appropriation for nursery inspection or other funds of the department of agriculture.

State nursery inspector empowered to prohibit transportation into the state of infected nursery stock or pine trees.

SECT. 7. The sum of eight thousand dollars is hereby appropriated to carry into effect sections 2, 3 and 4 of this act for the year ending August 31, 1917; the sum of ten thousand dollars for the year ending August 31, 1918, and the sum of ten thousand dollars for the year ending August 31, 1919.

Expenses, how met.

SECT. 8. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]

## CHAPTER 188.

AN ACT TO REPEAL CHAPTER 13 OF THE LAWS OF 1917 ENTITLED "AN ACT IN RELATION TO DIVIDING GOODS AND CHATTELS AMONG HEIRS-AT-LAW AND BENEFICIARIES," APPROVED FEBRUARY 16, 1917.

### SECTION

1. Repealing clause.

### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 13 of the Laws of 1917 entitled "An Act in relation to dividing goods and chattels among heirs-at-law and beneficiaries," approved February 16, 1917, is hereby repealed.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]



CHAPTER 189.

AN ACT RELATING TO THE TAXATION OF MONEY DEPOSITED IN BANKS WITHOUT THIS STATE.

SECTION

1. Money of residents of this state, deposited in banks in other states, taxable if at interest.
2. Act not to apply to money on deposit in a state whose laws exempt from taxation money on deposit in banks in this state by residents of that state.

SECTION

3. Repealing clause; takes effect on passage.

Money of residents of this state, deposited in banks in other states, taxable if at interest.

Act not to apply to money on deposit in a state whose laws exempt from taxation money on deposit in banks in this state by residents of that state.

Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Money deposited in any bank without this state on interest is taxable to the resident owner thereof.

SECT. 2. If any state exempts similar deposits in banks in this state, including interest thereon, to owners residing in that state, the provisions of this act shall not apply to deposits in that state.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved April 19, 1917.]

CHAPTER 190.

AN ACT ESTABLISHING A STANDARD OF WEIGHTS AND MEASURES.

SECTION

1. Federal standards adopted.
2. Commissioner of weights and measures, office of, established. Inspectors (3) of weights and measures, office of, established. How appointed.
3. Commissioner to have custody of standards. Proof of various standards regulated. Records and report. Bond of commissioner and inspectors.
4. Counties and cities to provide complete set of standards for weights and measures.
5. County sealer of weights and measures, office of, established. Power and duties. Two or more counties may join and have common sealer and standards, when.

SECTION

6. City sealer of weights and measures, office of, established. City and county may join and have common sealer, when.
7. Penalty for selling or offering for sale inaccurate device for weighing or measuring. Penalty for giving false weight or measure.
8. Commissioner and inspectors to have powers of police, in arrest and seizure.
9. Penalty for obstructing commissioner or inspectors in performance of their duties.
10. Penalty for impersonating commissioner or inspectors; or counterfeiting seal.

SECTION

11. Bushel, standard of by weight, various commodities. Sale by dry measure, receptacle to be heaped. Berry baskets, standard sizes. Penalty.
12. Packages, goods sold in, to have statement of weight, measure or count on the outside. Exception as to food, etc., sold in packages.
13. Penalty for violating s. 12.
14. Coal and coke, sale of, to be by weight, unless. Written statement of weight to be given purchaser.
15. Bread kept for sale, to have name of maker and weight on wrapper or label.

SECTION

16. Specifications and tolerances for weights and measures, to be established and used.
17. Repealing all statutory fees for inspecting and sealing weights and measures.
18. Hawkers and peddlers not to be licensed until weights and measures have been tested and sealed. Penalty.
19. P. S., ch. 126, s. 1, 2, specifically repealed; general repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The weights and measures received from the United States under joint resolution of Congress approved June 14, 1836, and July 27, 1866, and such new weights and measures as shall be received from the United States as standard weights and measures in addition thereto or in renewal thereof, and such as shall be supplied by the state in conformity therewith and certified by the National Bureau of Standards shall be the state standards, by which all county and municipal standards of weights and measures shall be tried, proved, and sealed.

SECT. 2. There shall be a state commissioner of weights and measures, who shall be appointed by the governor, by and with the advice and consent of the council. Such commissioner shall be appointed for a term of five years, and shall receive a salary of \$2,500 a year. There shall be not exceeding three inspectors of weights and measures, who shall be appointed by the commissioner with the advice and consent of the governor and council. The commissioner of weights and measures shall be allowed for salaries for inspectors of weights and measures, clerical services, traveling and contingent expenses for himself, and inspectors such sums as shall be necessary to carry out the provisions of this act to be withdrawn from the treasury upon warrant of the governor.

SECT. 3. The commissioner of weights and measures shall take charge of the standards adopted by this article as the standards of the state, and cause them to be kept in a safe and suitable place in the office of the commissioner, from which they shall not be removed except for repairs or for certification, and he shall take all other necessary precautions for their safe keeping. He shall maintain the state standards in good order and shall submit them at least once in ten years to the National Bureau of Standards for certification. He shall at least once in five years try and prove by the state standards all standard weights, measures, and other appa-

Federal standards adopted.

Commissioner of weights and measures, office of, established. Inspectors (3) of weights and measures, office of established. How appointed.

Commissioner to have custody of standards. Proof of various standards regulated. Records and report. Bond of commissioner and inspectors.

ratus which may belong to any county or city, and shall seal such when found to be accurate by stamping on them the letters N. H. and the last two figures of the year with seals which he shall have and keep for that purpose. He shall have and keep a general supervision of the weights, measures and weighing and measuring devices offered for sale, sold, or in use in the state. He shall, upon the written request of any citizen, firm, corporation, or educational institution in the state, test or calibrate weights, measures, weighing and measuring devices, and instruments or apparatus used as standards in the state.

He, or his deputy, or inspectors, by his direction, shall at least once annually test all scales, weights, and measures used in checking the receipts or disbursements of supplies in every institution for the maintenance of which moneys are appropriated by the legislature, and he shall report in writing his findings to the supervisory board and to the executive officer of the institution concerned, and, at the request of such board, or executive officer, the commissioner of weights and measures shall appoint in writing one or more employees then in the actual service of each institution who shall act as special deputies for the purpose of checking the receipts or disbursements of supplies. He shall keep a complete record of the standards, balances, and other apparatus belonging to the state, and take a receipt for same from his successor in office. He shall annually, on the first day of July, make to the governor a report of the work done by his office. The commissioner, or his inspectors, at his direction, shall inspect all standards and apparatus used by the counties and cities at least once in five years, and shall keep a record of the same. He, or his inspectors, at his direction, shall at least once in two years visit the various cities and counties of the state in order to inspect the work of the local sealers, and in the performance of his duties he may inspect the weights, measures, balances, or any other weighing or measuring appliances of any citizen, firm, or corporation, and shall have the same powers as the local sealer of weights and measures. The commissioner shall issue from time to time regulations for the guidance of county and city sealers, and the said regulations shall govern the procedure to be followed by the aforesaid officers in the discharge of their duties. The commissioner of weights and measures shall forthwith, on his appointment, give a bond in the penal sum of \$5,000, with sureties, to be approved by the governor for the faithful performance of the duties of his office and for the safety of the standards intrusted to his care and for the surrender thereof immediately to his successor in office or to the person appointed by the governor to receive them. Each inspector of weights and measures shall forthwith upon his appointment give a bond in the penal sum of \$1,000, with sureties, to be approved by the secretary of state, for the faithful performance



of the duties of his office and for the surety of any apparatus intrusted to his care.

SECT. 4. The board of county commissioners of each county and the common council of each city required to appoint a sealer under this act shall procure at the expense of the county or city, and shall keep at all times a complete set of weights and measures and other apparatus of such materials and construction as the said commissioner of weights and measures may direct. All such weights, measures, and other apparatus having been tried and accurately proven by him shall be sealed, and certified to by the commissioner as hereinbefore provided, and shall be then deposited with and preserved by the county or city sealer as public standards for each county or city. Whenever the board of county commissioners of a county or the common council of such city shall neglect for six months so to do, the county auditor of the county, or the city clerk of said city, on notification and request by the commissioner of weights and measures, shall provide such standards and cause the same to be tried, sealed, and deposited at the expense of the county or city.

SECT. 5. There shall be a county sealer of weights and measures in each county, who shall be appointed by the governor, by and with the advice and consent of the council for a term of five years. He shall be paid a salary determined by the governor and council, said salary not to be less than \$1,000 a year, and no fee shall be charged by him or by the county for the inspection, testing, or sealing of weights, measure, or weighing or measuring devices. He shall also be allowed his necessary traveling and contingent expense. When not otherwise provided by law the county sealer shall have the power within his county to inspect, test, try and ascertain if they are correct, all weights, scales, beams, measures of every kind, weighing or measuring instruments, or mechanical devices for measuring, and tools, appliances, or accessories connected with any and all such instruments or measures kept, offered, or exposed for sale, sold, or used or employed within the county by any proprietor, agent, lessee, or employee in proving the size, quantity, extent, area, or measurements of quantities, things, produce, articles for distribution or consumption offered or submitted by such person or persons for sale, hire, or award; and he shall have the power to and shall from time to time weigh or measure packages or amounts of commodities of whatsoever kind kept for the purpose of sale, offered for sale or sold or in the process of delivering in order to determine whether the same contains the amounts represented, and whether they be offered for sale or sold in a manner in accordance with laws relative to weights and measures. He shall at least once each year and as much oftener as he may deem necessary see that the weights, measures, and all apparatus used in the county are correct. He may for the purpose above men-

Counties and cities to provide complete set of standards for weights and measures.

County sealer of weights and measures, office of, established. Power and duties. Two or more counties may join and have common sealer and standards, when.



tioned, and in the general performance of his official duties, enter and go into or upon, and without formal warrant, any stand, place, building, or premises or stop any vendor, peddler, junk dealer, coal wagon, ice wagon, delivery wagon, or any dealer whatsoever, and require him, if necessary, to proceed to some place which the sealer may specify, for the purpose of making the proper tests. Whenever the county sealer finds a violation of the statutes relating to weights and measures, he shall cause the violator to be prosecuted. Whenever the sealer compares weights, measures or weighing or measuring instruments and finds that they correspond or causes them to correspond with the standards in his possession, and that they conform to the specifications and regulations of this department, he shall seal or mark such weights, measures, weighing or measuring instruments with appropriate devices to be approved by the commissioner of weights and measures. He shall condemn and seize to hold as evidence and may upon order of the court, destroy incorrect weights, measures, or weighing or measuring instruments which, in his best judgment, are not susceptible of satisfactory repair; but such as are incorrect and yet may be repaired, he shall mark or tag as condemned for repairs in a manner prescribed by the commissioner of weights and measures. The owner or users of any weights, measures, or weighing or measuring instruments of which such disposition is made, shall have the same repaired or corrected within the time prescribed by the sealer, and they may neither use nor dispose of the same, except as permitted by the sealer, but shall hold the same at the disposal of the sealer. Any apparatus which has been condemned for repairs, and has not been repaired as required above, shall be confiscated by the sealer as above provided. The county sealer shall keep a complete record of all of his official acts, and shall make an annual report to the board of county commissioners and an annual report, duly sworn to, on the first day of June, to the commissioner of weights and measures, on blanks to be furnished by the commissioner. The county sealer of weights and measures shall forthwith on his appointment give a bond in the penal sum of \$1,000, with sureties, to be approved by the appointing power, for the faithful performance of the duties of his office. *Provided, however,* that nothing in the above shall be construed to prevent two or more counties from combining the whole or any part of their districts, as may be agreed upon by the boards of county commissioners, with one set of standards and one sealer, upon the written consent of the commissioner of weights and measures. A county sealer appointed in pursuance of an agreement for such combination shall, subject to the terms of his appointment, have the same authority, jurisdiction, and duties as if he had been appointed by each of the authorities who are parties to the agreement.

SECT. 6. There shall be a city sealer of weights and measures in cities of not less than 10,000 population, according to the latest official state or United States census, to be appointed by the mayor, by and with the consent and advice of the city council. He shall perform in said city the duties and have like powers as the county sealer in the county. In those cities in which no sealer is required by the above, the county sealer of the county shall perform in said cities the duties and have like powers as in the counties. *Provided, however,* that nothing in the above shall be construed to prevent any county and the city situated therein from combining the whole or any part of their districts, as may be agreed upon, with one sealer, subject to the written approval of the commissioner of weights and measures. A sealer appointed in pursuance of any agreement for such combination shall, subject to the terms of his appointment, have the same authority, jurisdiction, and duties as if he had been appointed by each of the authorities who are parties to the agreement. The terms of office of city and county sealers who are in office at the time of the passage of this act shall be terminated by the passage of this act.

SECT. 7. Any person who, by himself, or by his servant or agent, or as the servant or agent of another, shall offer or expose for sale, sell, or use or retain in his possession for use a false weight or measure or weighing or measuring device, or at any time subsequent to January 1, 1918, any weight or measure or weighing or measuring device which has not been sealed by the commissioner or inspector, or by a sealer of weights and measures within one year, for the purpose or the apparent purpose of buying or selling of any commodity or thing, or for hire or award: or shall dispose of any condemned weight, measure, or weighing or measuring device contrary to laws relative to weights or measures, or remove any tag placed thereon by the commissioner or inspector, or by a sealer of weights and measures, without his permission; or any person who, by himself or by his servant or agent, or as the servant or agent of another, shall sell or offer or expose for sale less than the quantity he represents, or sell or offer or expose for sale any commodity in a manner contrary to the laws relative to weights and measures, or in purchasing, misrepresents the amount purchased, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$20 or more than \$200, or by imprisonment for not more than three months, or by both such fine and imprisonment, upon a first conviction; but upon a second or subsequent conviction he shall be punished by a fine of not less than \$50 or more than \$500, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

SECT. 8. The commissioner of weights and measures, his deputy and inspectors, and the county and city sealers of weights and measures, are hereby made special policemen, and are authorized

City sealer of weights and measures, office of established. City and county may join and have common sealer, when.

Penalty for selling or offering for sale inaccurate device for weighing or measuring. Penalty for giving false weight or measure.

Commissioner and inspectors to have powers of police, in arrest and seizure.

and empowered to arrest, without formal warrant, any violator of the statutes in relation to weights and measures, and to seize for use as evidence, and without formal warrant, any false or unsealed weight, measure, or weighing or measuring device, or package or amounts of commodities found to be used, retained, or offered or exposed for sale or sold in violation of law.

Penalty for obstructing commissioner or inspectors in performance of their duties.

SECT. 9. Any person who shall hinder or obstruct in any way the commissioner of weights and measures, his deputy, or inspectors, or any county or city sealer, in the performance of his official duties shall be guilty of a misdemeanor, and shall be punished upon conviction thereof in any court of competent jurisdiction by a fine of not less than \$20 or more than \$200, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

Penalty for impersonating commissioner or inspectors; or counterfeiting seal.

SECT. 10. Any person who shall impersonate in any way the commissioner of weights and measures, his deputy, or inspectors, or any county or city sealer, by use of his seal or counterfeit of his seal, or otherwise, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Bushel, standard of by weight, various commodities. Sale by dry measure, receptacle to be heaped. Berry baskets, standard sizes. Penalty.

SECT. 11. In proceedings under section 7 of this act for false or insufficient weights or measures in connection with the sale of any article hereinbefore mentioned, the following weights and provisions shall govern: Except where the parties shall expressly agree to sale by some other standard than by weight, a bushel shall contain the number of pounds as hereinafter set forth: Apples, 48; dried apples, 25; beets, 60; small white beans, 60; soy beans (*glycine hispida*), 58; barley, 48; bran, 20; buckwheat, 48; Indian corn, 56; corn meal, 50; cracked corn, 50; cranberries, 32; carrots, 50; clover seed, 60; flaxseed, 56; herds grass or timothy seed, 45; Japanese barnyard millet (*P. crusgalli*), 35; lime, 70; oats, 32; onions, 52; pears, 58; peaches, 48; dried peaches, 33; peas, 60; parsnips, 45; roasted peanuts, 20; green peanuts, 22; Irish potatoes, 60; sweet potatoes, 54; quinces, 48; rye, 56; rye meal, 50; coarse salt, 70; fine salt, 50; shorts, 20; tomatoes, 56; turnips, 55; wheat, 60; and for fractional parts of a bushel like fractional parts of above weights shall be required. All fruits, nuts and vegetables, if sold by measure, shall be sold by dry measure, United States standard. Commodities, the individual units of which are determined by the commissioner as large in size, shall be measured by heaping measures, that is, the measure shall be heaped up in the form of a cone, the outside rim of the measure to be the base of the cone and the cone to be as high as the commodity will admit; other commodities shall be measured by struck or level measure. Baskets or other receptacles holding one quart or less, which are used in the sale of strawberries, blackberries, cherries, currants,



blueberries, huckleberries, raspberries or gooseberries shall be of the capacity of one quart, one pint, or half-pint, United States standard dry measure. The proprietor or proprietors of any store, street-stand or other mercantile establishment, where articles named in this section are sold or kept for sale, shall post conspicuously, in a place as ordered by the state commissioner and where patrons may easily read the same, a printed notice to be furnished by the said commissioner, containing the foregoing part of this section and such other information as said commissioner may deem advisable. Whoever sells or offers for sale or has in possession with intent to sell any of the aforesaid fruit in any basket or other receptacle holding one quart or less which does not conform to said standard, or, conforming to said standard, is not at least level measure, or fails to keep posted the notice hereinbefore provided, shall be punished as provided in said section 7. Said baskets or other receptacles shall not be required to be tested and sealed as provided by chapter 125, Public Statutes, but any sealer or health officer may test the capacity of any basket or other receptacle in which any of the aforesaid fruit is sold or intended to be sold; and if the same is found to contain less than the standard measure, or if the quantity of such fruit is otherwise less than as herein provided, he shall seize the same and make complaint against the vendor.

SECT. 12. It shall be unlawful for any person to sell or offer for sale any commodity in package form unless the contents thereof is expressed in terms of net weight, measure or numerical count in a conspicuous place on the outside of the package, in a plainly printed statement, in large type. *Provided, however,* that reasonable variations or tolerances shall be permitted, and that these reasonable variations or tolerances and also exemptions as to small packages shall be established by rules and regulations made by the commissioner of weights and measures after consultation with and with the advice of the Bureau of Standards of the Department of Commerce and Labor. *Provided, however,* that the above provision shall not apply to packages on hand or which have been specifically contracted for by any retailer at the time this act takes effect. And *provided* that the provisions of this section shall not apply to the sale of food in package form.

SECT. 13. Any person or dealer violating the preceding section shall be fined not less than twenty nor more than two hundred dollars for each offence.

SECT. 14. It shall be unlawful to sell or offer to sell in the state any coal or coke in any other manner than by weight, except by agreement of the parties to the contrary. No person, persons, firm, or corporation shall deliver any coal or coke without such delivery being accompanied by delivery ticket and a duplicate thereof, on each of which shall be in ink or other indelible substance, distinctly expressed in pounds, the gross weight of the load,

Packages, goods sold in, to have statement of weight, measure or count on the outside. Exception as to food, etc., sold in packages.

Penalty for violating s. 12.

Coal and coke, sale of, to be by weight, unless. Written statement of weight to be given purchaser.



the tare of the delivery vehicle, and the quantity or quantities of coal or coke contained in the cart, wagon, or other vehicle used in such deliveries, with the name of the dealer from whom purchased, and the party to whom it is to be delivered. One of these tickets shall be surrendered to the sealer of weights and measures upon his demand for his inspection, and this ticket or weight slip issued by the sealer when the sealer desires to retain the original shall be delivered to the said purchaser of said coal or coke or his agent or representative at the time of the delivery of the fuel; and the other ticket shall be retained by the seller of the fuel. When the buyer carries away the purchase, a delivery ticket showing the actual number of pounds delivered over to the purchaser must be given to the purchaser at the time the sale is made.

Bread kept for sale, to have name of maker and weight on wrapper or label.

SECT. 15. To each loaf of bread baked and kept for the purpose of sale, offered or exposed for sale, or sold in the state, shall be attached a label, wrapper or stamp plainly showing its weight and the name of the manufacturer thereof, the size of stamp and type used to be specified by the state commissioner of weights and measures. It shall be unlawful for any person to make for sale, sell, offer to sell, or procure to be sold, any bread other than such as shall be in accordance with the provisions of this section.

Specifications and tolerances for weights and measures, to be established and used.

SECT. 16. The commissioner of weights and measures shall, after consultation with and with the advice of the National Bureau of Standards establish specifications and tolerances for weights and measures and weighing and measuring devices, and said specifications and tolerances shall be legal specifications and tolerances in this state, and shall be observed in all inspections and tests made in this state.

Repealing all statutory fees for inspecting and sealing weights and measures.

SECT. 17. All provisions of law establishing or allowing fees for the inspection, testing, or sealing of weights, measures, or weighing or measuring devices by any sealer of state, county or city are hereby repealed.

Hawkers and peddlers not to be licensed until weights and measures have been tested and sealed. Penalty.

SECT. 18. No license shall be issued to any hawker, peddler, vendor or dealer unless he presents a certificate from the sealer of weights and measures, showing that the measure or measures used by him have been properly inspected, tested and sealed immediately preceding the issuance of such license. And upon conviction of any hawker, peddler, vendor or dealer of any violation of the provisions of this act or other weights and measures law, such license shall be immediately revoked.

P. S., ch. 126, s. 1, 2, specifically repealed; general repealing clause; takes effect on passage.

SECT. 19. Sections 1 and 2 of chapter 126 of the Public Statutes and all acts and parts of acts inconsistent herewith are repealed and this act shall take effect upon its passage.

[Approved April 19, 1917.]

## CHAPTER 191.

AN ACT IN AMENDMENT OF CHAPTER 128, LAWS OF 1909, AS AMENDED BY CHAPTER 166, LAWS OF 1911, RELATING TO FOREST FIRE WARDENS.

## SECTION

1. Forest fire warden or deputy, may be appointed for two or more towns or parts of towns; duties.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 4 of chapter 128, Laws of 1909, as amended by chapter 166, Laws of 1911, is hereby amended by inserting after the word "originally" the following: He may appoint a forest fire warden or deputy forest fire warden for two or more towns or parts of towns; and the said section 4 is further amended by striking out therefrom the remainder of the section following the phrase "in other public places," so that the said section 4 as amended shall read: SECT. 4. The selectmen of all towns and the mayors of all cities shall, and other citizens may, as soon as may be, after this act takes effect, recommend to the state forester the names of such persons as may in their estimation be fit to fill the offices of forest fire warden and deputy forest fire warden in their respective towns and cities. After investigation the state forester may choose and appoint from the persons recommended, as above prescribed, not more than one competent person in each town or city to be the forest fire warden for said town or city and such deputy forest fire wardens as he deems necessary. Upon the appointment of a forest fire warden by the state forester in any town or city, the term of office of the forest fire warden then or theretofore acting in said city or town shall immediately cease and the new appointee or appointees shall thereafter serve for one year, or until a successor is appointed as hereinbefore provided. The state forester shall have the power in the exercise of his discretion, to remove any forest fire warden or deputy forest fire warden from office. Upon the termination in any manner of the term of office of any forest fire warden or deputy forest fire warden, a successor shall be appointed in the manner hereinbefore provided for the appointment of such officers originally. He may appoint a forest fire warden or deputy forest fire warden for two or more towns or parts of towns. Forest fire wardens and deputy forest fire wardens, themselves, or some agent or agents designated by them, shall, when directed by the state forester, patrol the woods in their respective cities or towns, warning persons who traverse the woods, campers, hunters, fishermen and others, about lighting and extinguishing fires. They shall post extracts from the fire laws, and other notices sent them by the state

Forest fire warden or deputy, may be appointed for two or more towns or parts of towns; duties.

forester, along the highways, along streams and waters frequented by tourists and others, at camp sites, and in other public places.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 19, 1917.]

## CHAPTER 192.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 162, LAWS OF 1909, AS AMENDED BY CHAPTER 7, LAWS OF 1911, CHAPTER 160, LAWS OF 1915, AND AN ACT APPROVED BY THE LEGISLATURE MARCH 8, 1917, ENTITLED "AN ACT IN AMENDMENT OF THE LAWS OF 1909, CHAPTER 162, SECTION 2, ENTITLED 'AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF COCAINE AND ARTICLES CONTAINING COCAINE, AS AMENDED BY THE LAWS OF 1911, CHAPTER 7, AND BY THE LAWS OF 1915, CHAPTER 160, AND PROVIDING FOR THE INSPECTION OF PRESCRIPTIONS IN CERTAIN CASES.' " \*

### SECTION

1. Cocaine, morphine, heroin, codeine or derivatives thereof, and synthetic substitute for cocaine, sale of prohibited, except as to sales by druggist on physician's prescription. Record of latter how kept; and open to inspection by police, selectmen, etc.

### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Cocaine, morphine, heroin, codeine or derivatives thereof, and synthetic substitute for cocaine, sale of prohibited, except as to sales by druggist on physician's prescription. Record of latter how kept; and open to inspection by police, selectmen, etc.

SECTION 1. Amend section 2, chapter 162, Laws of 1909, as amended by chapter 7, Laws of 1911, chapter 160, Laws of 1915, and by an act approved by the legislature March 8, 1917, entitled "An Act in amendment of the Laws of 1909, chapter 162, section 2, entitled 'An Act to prohibit the manufacture and sale of cocaine and articles containing cocaine, as amended by the Laws of 1911, chapter 7, and by the Laws of 1915, chapter 160, and providing for the inspection of prescriptions in certain cases,' " by inserting after the words "shall not apply" and before the words "to sales to apothecaries" the words to sales of liquid preparations sold in good faith as medicines containing not more than two grains of opium, or not more than one-fourth grain of morphine, or not more than one-eighth grain of heroin or not more than one grain of codeine,

\* See chapter 61, *ante*.

in one fluid ounce, or if a solid preparation, in one avoirdupois ounce, nor. Further amend said section by inserting after the words "kept on file" and before the words "as authority" the words for two years, so that said section as amended shall read as follows:

SECT. 2. It shall be unlawful for any person, firm, or corporation to sell, exchange, deliver, expose for sale, give away, or have in his possession or custody with intent to sell, exchange, deliver or give away, in any street, way, square, park or other public place, or in any hotel, restaurant, liquor saloon, bar-room, pool-room, news stand or other places to which persons are permitted generally to resort, public hall, place of amusement or public building, any cocaine or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine or any derivatives of the same; *provided, however*, that the foregoing provision shall not apply to sales of liquid preparations sold in good faith as medicines containing not more than two grains of opium, or not more than one-fourth grain of morphine, or not more than one-eighth grain of heroin or not more than one grain of codeine, in one fluid ounce, or if a solid preparation, in one avoirdupois ounce, nor to sales to apothecaries, druggists, physicians, veterinaries, or dentists, nor to sales by apothecaries or druggists upon the original prescription of a physician, *provided* the prescription is retained and kept on file for two years as authority for the sale and not refilled. The chief of police of cities or the selectmen of towns, or any officer authorized by either of them, may at any time enter upon any premises used by an apothecary or druggist for the purpose of his business and inspect such original prescriptions; and every apothecary or druggist, his clerk, agent or servant, shall exhibit to such officer on demand every such original prescription so kept on file.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

Repealing clause;  
takes effect on  
passage.

[Approved April 19, 1917.]



CHAPTER 193.

AN ACT PERMITTING BANKS AND TRUST COMPANIES TO BE APPOINTED AS TRUSTEES.

SECTION

- 1. Trust company or national bank located in N. H. may be appointed trustee; such, located elsewhere, first required to register as foreign corporation.
- 2. Laws of 1915, ch. 109, s. 34, repealed.
- 3. Such, when appointed trustee, to give surety company bond, in amount fixed in each case by probate court.

SECTION

- 4. National bank, required to file with the attorney-general, consent to examination of its trust department by bank commissioners, and acknowledge itself subject to jurisdiction of probate court.
- 5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Trust company or national bank located in N. H. may be appointed trustee; such, located elsewhere, first required to register as foreign corporation.  
Laws of 1915, ch. 109, s. 34, repealed.  
Such, when appointed trustee, to give surety company bond, in amount fixed in each case by probate court.  
National bank required to file with the attorney-general, consent to examination of its trust department by bank commissioners, and acknowledge itself subject to jurisdiction of probate court.  
Repealing clause; takes effect on passage.

- SECTION 1. Any trust company or national bank, being duly authorized, may be appointed trustee, but any such trust company or national bank which has its principal place of business outside the state shall first comply with chapter 187 of the Laws of 1913 relative to the registration of foreign corporations.
- SECT. 2. Section 34 of chapter 109 of Laws of 1915 is hereby repealed.
- SECT. 3. Such trust company or national bank when appointed trustee shall give a surety company bond in such sum as the judge of probate may order.
- SECT. 4. Any national bank desiring to be appointed trustee shall first file with the attorney-general, in such form as he may direct, its consent to an examination of its trust department by the bank commissioners of this state, and acknowledge itself amenable to the jurisdiction of the probate courts of this state.
- SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved April 19, 1917.]

## CHAPTER 194.

AN ACT PROVIDING FOR THE SUSPENSION OF THE LABOR LAWS OF THE  
STATE UNDER CERTAIN CONDITIONS.

## SECTION

1. Governor empowered to suspend or modify restrictions contained in "labor laws," when requested by the council of national defense, during the existing war.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. That the governor is hereby empowered to suspend or modify the restrictions contained in the labor laws of the state when such suspension or modification shall be requested by the council of national defence and that such suspension or modification, when so made, shall continue for such time as may be specified in the order issued by the governor for that purpose, but not longer than the duration of the state of war now existing as declared by the Congress of the United States.

Governor empowered to suspend or modify restrictions contained in "labor laws," when requested by the council of national defense, during the existing war.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]

## CHAPTER 195.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 64, LAWS OF 1899,  
RELATING TO FIREMEN'S RELIEF FUND.

SECTION 1. \$4,000 appropriated as firemen's relief fund to be paid to N. H. State Firemen's Association, annually.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. That section 2, chapter 64 of the Laws of 1899, be amended as follows, by changing the word "two" in the first line of said section to four, and by adding at the end of said section the following: Said sum of four thousand dollars to be in full for any appropriation for any one year, so that said section when amended will read as follows: SECT. 2. Four thousand dollars of the amount received as such tax shall annually be set apart by the state treasurer, and kept distinct from all other funds, and shall

\$4,000 appropriated as firemen's relief fund to be paid to N. H. State Firemen's Association, annually.

be known as the firemen's relief fund. Such fund, in the month of May after its receipt, shall be paid over, upon the order of the governor, to the treasurer of the New Hampshire State Firemen's Association, as trustee, and shall be devoted to and paid out for the relief of any fireman injured or disabled in the discharge of his duty as fireman, who is a member in good standing in any regularly organized town or city fire company in this state belonging to said association and who is himself a member of said association, and for the relief of the dependent parent, widow or children of such fireman whose death was occasioned by injuries received in the line of his duty as a fireman; said sum of four thousand dollars to be in full for any appropriation for any one year.

[Approved April 19, 1917.]

CHAPTER 196.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 156 OF THE LAWS OF 1913, AS AMENDED BY SECTION 1 OF CHAPTER 164 OF THE LAWS OF 1915; ALSO IN AMENDMENT OF SECTIONS 2 AND 3 OF CHAPTER 156 OF THE LAWS OF 1913; AND REPEALING SECTION 2 OF CHAPTER 164 OF THE LAWS OF 1915; RELATING TO HOURS OF WORK FOR WOMEN AND MINORS.

SECTION

1. Hours of work of females, and minors under eighteen, regulated in certain industries.
2. Employers to post notices stating the hours of labor, and intervals therein, etc.

SECTION

3. Certain facts *prima facie* evidence of a violation of this act.
4. Laws of 1915, ch. 164, s. 2, repealed.
5. Act not to apply to labor in the manufacture of munitions or war supplies, in time of war. Takes effect Jan. 1, 1918.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Hours of work of females, and minors under eighteen, regulated in certain industries.

SECTION 1. Amend section 1 of chapter 156 of the Laws of 1913, as amended by section 1 of chapter 164 of the Laws of 1915, by striking out the whole thereof and substituting therefor the following: SECTION 1. No female, or minor under eighteen years of age, shall be employed or be permitted to work at manual or mechanical labor in any employment, except household labor and nurses, domestic, hotel and boarding house labor, operators in telephone and telegraph offices and farm labor, more than ten and one-quarter hours during any one day, or more than fifty-four hours in any one week. Where a minor under eighteen years of age or a female is employed

in the same day or week by more than one employer in manual or mechanical labor in any employment, except household labor and nurses, domestic, hotel and boarding house labor, operators in telephone and telegraph offices and farm labor, the total time of employment shall not exceed that allowed per day or week in a single employment. No such minor or female shall be employed or permitted to work at night work more than eight hours in any twenty-four hours nor more than forty-eight hours during the week. If any such minor or female is employed or permitted to work more than two nights each week for any time between the hours of eight o'clock p. m. and six o'clock a. m. of the day following, such employment shall be considered night work. Mercantile establishments for the period of seven days immediately preceding Christmas day in each year are, as to regular employees, excepted from the operation of this section, but the total number of hours of labor, for any female, or minor under eighteen years of age, regularly employed in such establishment, shall not exceed fifty-four hours per week for the full year.

SECT. 2. Amend section 2 of said chapter 156 by inserting after the words "where such" the words minors or and by inserting after the words "of hours any" the words such minor or, so that as amended said section shall read: SECT. 2. Every employer shall post in a conspicuous place in every room, where such minors or females are employed, a printed notice stating the hours of commencing and stopping such work, the time allowed for dinner or other meals, and the maximum number of hours any such minor or female employee is permitted to work in any one day.

SECT. 3. Amend section 3 of said chapter 156 by inserting after the words "any female" the words or minor under eighteen years of age, and by striking out the words "subdivision 1, of this section," and substituting therefor the words section 1 of this chapter, so that as amended said section shall read: SECT. 3. The employment of any female, or minor under eighteen years of age, in any such place or establishment, as defined in section 1 of this chapter, at any time other than those of the posted hours of labor, as hereinbefore provided for, shall be *prima facie* evidence of a violation of this act.

SECT. 4. Section 2 of chapter 164 of the Laws of 1915 is hereby repealed.

SECT. 5. This act shall take effect January 1, 1918, and the provisions of this act shall not apply to labor performed entirely in the manufacture of munitions or supplies for the United States government or for the government of the state of New Hampshire, while the United States is at war with any other nation.

Employers to post notices stating the hours of labor, and intervals therein, etc.

Certain facts *prima facie* evidence of a violation of this act.

Laws of 1915, ch. 164, s. 2, repealed.

Act not to apply to labor in the manufacture of munitions or war supplies, in time of war. Takes effect Jan. 1, 1918.



CHAPTER 197.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR A HOME GUARD," APPROVED APRIL 11, 1917.\*

SECTION

1. Title home guard changed to state guard.
2. Military emergency board created; empowered with the governor to make regulations for enlistment, equipment, maintenance and compensation of.

SECTION

3. Amending title in earlier act, from home guard to state guard.
4. Provisions applicable to home guard to apply to state guard.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Title home guard changed to state guard.

SECTION 1. The title of an act entitled, "An Act to provide for a home guard," approved April 11, 1917, is hereby amended by striking out the word "home" and inserting in place thereof the word state, so that the title of said act as amended shall read as follows: An Act to provide for a state guard.

Military emergency board created; empowered with the governor to make regulations for enlistment, equipment, maintenance and compensation of.

SECT. 2. Section 1 of said act is hereby amended by striking out, after the words "known as the," the word "home" and inserting in place thereof the word state and by striking out after the words "national guard" the word "and" and inserting in place thereof the words excepting that men of the third and fourth classes of the unorganized militia as described in section 4 of an act entitled "An Act concerning the militia," approved April 5, 1917, may be recruited for state guard service until required for service in the national guard. The state guard, so that said section as amended shall read as follows: SECTION 1. The governor is authorized to appoint a board composed of three members to be known as the military emergency board who shall hold office from the date of their appointment until April 1, 1919, and until their successors are appointed and qualified. Said board shall take proper action to perfect and maintain a body of armed troops for duty within the state of New Hampshire to be known as the state guard. Such troops shall be recruited from the citizens of the state who cannot be held for service in the national guard, excepting that men of the third and fourth classes of the unorganized militia as described in section 4 of an act entitled "An Act concerning the militia," approved April 5, 1917, may be recruited for state guard service, until required for service in the national guard. The state guard shall be called into service only by the order of the governor.

\* See chapter 144, ante.

SECT. 3. Section 2 of said act is hereby amended by striking out the word "home" and inserting in place thereof the word state, so that said section as amended shall read as follows: SECT. 2. Said board, acting with the governor, shall make regulations to provide for the manner and form of enlistment, organization, government, discipline, maintenance, armament, equipment, and for compensation of the state guard when called into active service, and do all things necessary and proper to carry out the purposes of this act. Such compensation so paid shall not be at a greater rate than that now paid the national guard while in active state service.

Amending title in earlier act, from home guard to state guard.

SECT. 4. All provisions in other acts heretofore enacted and now in force relating to the home guard and to the powers, privileges and duties of its members shall apply to the state guard and its members.

Provisions applicable to home guard to apply to state guard.

SECT. 5. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]

## CHAPTER 198.

### AN ACT RELATING TO THE ESTABLISHMENT OF A FREE EMPLOYMENT OFFICE IN THE BUREAU OF LABOR.

#### SECTION

1. Free employment office created.
2. Commissioner of labor to supervise it. Clerical assistance provided.
3. Lists of employment wanted, and of help wanted to be kept.
4. Act applies to both sexes; and all forms of legitimate work.
5. No fees to be charged.

#### SECTION

6. Preference in registering to be given residents of N. H.
7. Clerks of towns and cities to forward applications.
8. Commissioner to cause reports of the office to be furnished the press and citizens on request.
9. Takes effect May 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. There shall be established and maintained, under the care and direction of the commissioner of labor, a free employment office for the purpose of bringing together those who seek employment and those who desire to employ.

Free employment office created.

SECT. 2. This work shall be done in the office and in connection with the bureau of labor, and the commissioner of labor shall appoint such clerks or assistants as he may deem necessary for the proper conduct thereof, and shall fix their compensation, subject to the approval of the governor and council.

Commissioner of labor to supervise it. Clerical assistance provided.

Lists of employment wanted, and of help wanted to be kept.

SECT. 3. It shall be the duty of the commissioner of labor to receive without charge and keep on file, by means of suitable books or other record, a correct list of all applications for employment made by any person who shall file an application for work. It shall also be the duty of said commissioner of labor to keep on file, in the same manner, a correct list of all applications filed by any person, partnership or corporation, seeking to hire help for any legitimate purpose, and it shall be the duty of said commissioner of labor and his assistants to aid persons so applying for employment and to assist employers so applying to obtain help.

Act applies to both sexes; and all forms of legitimate work.

SECT. 4. This act shall apply to female as well as male applicants, and to any and all kinds and descriptions of legitimate employment or service.

No fees to be charged.

SECT. 5. No fees, direct or indirect, shall in any case be taken from those seeking the benefits of said employment office.

Preference in registering to be given residents of N. H.

SECT. 6. In registering applications for employment and for employees wanted, preference shall be given to residents of the state.

Clerks of towns and cities to forward applications.

SECT. 7. It shall be the duty of city clerks of cities and town clerks of towns to co-operate with said employment office as requested by the commissioner of labor in the matter of receiving and forwarding applications from those desiring employees and those desiring employment. Such city or town clerks may in the discretion of the commissioner of labor be furnished with application blanks for this purpose. Such city or town clerks shall receive no compensation from the state for such service but they may by proper order or direction from the authorities of their towns or cities receive compensation therefor, or the same may be regarded as a part of their duties as such town or city clerks according to the direction of each town or city.

Commissioner to cause reports of the office to be furnished the press and citizens on request.

SECT. 8. The commissioner of labor shall cause reports showing the business of the office to be prepared at regular intervals, and shall supply them to the newspapers and to citizens upon request.

Takes effect May 1, 1917.

SECT. 9. This act shall take effect May 1, 1917.

[Approved April 19, 1917.]

CHAPTER 199.

AN ACT TO PROVIDE FOR THE EXPENDITURE OF FUNDS RECEIVED BY THE STATE FROM THE NATIONAL FOREST.

SECTION

- 1. All funds received from the national government under the Weeks law, governed by this act.
- 2. First applied to towns and unorganized townships in which national forest is located. Proportion, how determined.

SECTION

- 3. Organized towns to apply it to public schools and roads.
- 4. Unorganized townships, fund to be applied to public schools and roads in the same county, as governor and council direct.
- 5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. All sums received by this state from the United States of America on account of the national forest in this state established under the provision of the Weeks Law, so called, being an act of Congress approved March 1, 1911, and amendments thereto, shall be distributed as provided in this act.

All funds received from the national government under the Weeks law, governed by this act.

SECT. 2. Said funds shall first be appropriated by the state treasurer amongst the several organized towns and unorganized townships in which such national forest is or may be situated, in proportion to the area of such national forest in each, as determined by the forest service of the United States department of agriculture.

First applied to towns and unorganized townships in which national forest is located. Proportion, how determined.

SECT. 3. The several sums so apportioned to each organized town shall be paid over by the state treasurer, within sixty days after receipt thereof, to the treasurer of such town and shall be expended for the benefit of the public schools and public roads of such towns, in addition to the sums required by law to be raised for such purposes, in such manner as may be determined by appropriations duly made by town meetings in such town.

Organized towns to apply it to public schools and roads.

SECT. 4. All sums so apportioned to unorganized townships shall be expended for the benefit of public schools and public roads in the counties in which such unorganized townships are located, in such manner as the governor and council may from time to time determine.

Unorganized townships, fund to be applied to public schools and roads in the same county, as governor and council direct.

SECT. 5. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]



CHAPTER 200.

AN ACT TO PROVIDE FOR STATE AID ON CERTAIN HIGHWAYS.

SECTION	SECTION
1. County commissioners given powers of selectmen as to certain highways.	4. Apportionment of cost between town and county, how determined.
2. Amounts to be applied, how determined.	5. Laws of 1905, ch. 35, applies to work done and highways improved hereunder.
3. State highway commissioner to accept application for aid from county commissioners, on certain highways.	6. Town may still have advantage of Laws of 1905, ch. 35.
	7. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

County commis-  
sioners given  
powers of select-  
men as to certain  
highways.

SECTION 1. In counties where by an order of the superior court the commissioners are charged with the duty of maintaining a section of main highway, the provisions of chapter 35, Laws of 1905 (as amended) are hereby made to apply, the county commissioners being given the powers and duties of selectmen under said law. All references in this act to said chapter 35, Laws of 1905 or to particular sections of said chapter shall be deemed to include all amendments thereto.

Amounts to be  
applied, how  
determined.

SECT. 2. The amount of money to be appropriated and set aside by the commissioners for any section of highway under section 1 of this act shall be the same amount as that provided by sections 3 and 4, chapter 35 of the Laws of 1905 for the town to set aside in which said highway is located and the state highway commissioner shall apportion to said highway an amount equal to that allotted said town under section 5, chapter 35 of the Laws of 1905, said apportionment to be made from the funds appropriated to carry out the provisions of said chapter.

State highway  
commissioner to  
accept application  
for aid from  
county commis-  
sioners, on cer-  
tain highways.

SECT. 3. Authority is hereby given to the state highway commissioner, whenever in his opinion the public good so requires, to accept an application for state aid as provided by chapter 35 of the Laws of 1905 and section 2 of this act from the commissioners of any county in the state, said application to apply to the construction of a trunk line road or state aid road passing through a corner of said town covered by the application.

Apportionment of  
cost between town  
and county, how  
determined.

SECT. 4. The amount of money necessary for the town to raise for an application by the commissioners under section 1 of this act shall be divided between the county and the town in the same ratio as the cost of maintaining said highway is divided by the order of the court. For an application by the commissioners under section 3 the amount of money necessary for the town to raise shall be appropriated from the funds of the county and authority is hereby

given the commissioners of the county to make such an appropriation.

SECT. 5. The provisions of chapter 35, Laws of 1905 (as amended), shall apply to all work done under this act and govern the future status of all highways improved under this act.

SECT. 6. Nothing in this act shall be construed as preventing any town from taking advantage of chapter 35 of the Laws of 1905.

SECT. 7. This act shall take effect upon its passage.

Laws of 1905, ch. 35, applies to work done and highways improved hereunder. Town may still have advantage of Laws of 1905, ch. 35. Takes effect on passage.

[Approved April 19, 1917.]

## CHAPTER 201.

AN ACT IN AMENDMENT OF SECTION 20 OF CHAPTER 27 OF THE PUBLIC STATUTES, AS AMENDED BY CHAPTER 112 OF THE LAWS OF 1903, CHAPTER 22 OF THE LAWS OF 1907, CHAPTER 83 OF THE LAWS OF 1909, AND CHAPTERS 2, 44 AND 136 OF THE LAWS OF 1913, RELATING TO COUNTY COMMISSIONERS.

### SECTION

1. Salary of commissioners of certain counties fixed.

### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That section 20 of chapter 27 of the Public Statutes, as amended by chapter 112 of the Laws of 1903, chapter 22 of the Laws of 1907, chapter 83 of the Laws of 1909, and chapters 2, 44 and 136 of the Laws of 1913, be and the same hereby is amended by striking out the word "and" in the second line thereof and substituting in place thereof a comma, and by inserting after the word "Merrimack" in said second line the words and Grafton, and by striking out the word "and" in the eleventh line thereof, and by inserting between the words "year" and "payable" in the twelfth line thereof the words and each commissioner of Grafton county the sum of five hundred dollars per year, and by striking out the words "one thousand" in the sixteenth line thereof and inserting in place thereof the words eleven hundred, so that said section as amended shall read as follows: SECT. 20. Each county commissioner, except the commissioners of Hillsborough, Cheshire, Merrimack and Grafton counties, shall be paid by the county treasurer for his services, when employed in business of the county and in inspecting the taxable property of towns, as provided in the preceding section,

Salary of commissioners of certain counties fixed.

three dollars a day, and a reasonable sum for all necessary expenses, upon order of the superior court, his accounts having been first audited by the court. Each commissioner of Hillsborough county shall be so paid the sum of fifteen hundred dollars per year, each commissioner of Cheshire county the sum of five hundred dollars per year, each commissioner of Merrimack county the sum of one thousand dollars per year, and each commissioner of Grafton county the sum of five hundred dollars per year, payable in equal quarterly installments, and a reasonable sum for all necessary expenses, upon order of the superior court, his accounts having first been audited by the court. The commissioners of Hillsborough county may expend not exceeding eleven hundred dollars per year for such clerical, actuarial or stenographic assistance as may be necessary at the offices of the commission in Manchester and Nashua.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 19, 1917.]

CHAPTER 202.

AN ACT TO PROTECT THE PUBLIC AGAINST THE SALE OF WORTHLESS SECURITIES.

SECTION	SECTION
1. Terms "dealer" and "securities" defined.	8. Commissioner may prohibit sale of undesirable securities, when.
2. Dealer in securities to be registered.	9. Revocation of dealers' and agents' registration, by commissioner, when and how.
3. Insurance commissioner to register dealers. Application. Publication. Objections. Certificate. Fee.	10. Notice by commissioner to dealer or agent may be by mail.
4. Agents and salesmen of dealer, to be registered. Procedure. Fee. Revocation.	11. Banks and trust companies not within purview of this act.
5. Registration to be for calendar year. Renewal and fee.	12. Penalties. Evidence in civil proceedings.
6. Commissioner to publish semiannually list of registered dealers.	13. Salary; fees and expenses.
7. Registered dealers may sell securities within this state.	14. Takes effect on passage; but registration unnecessary until September 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Terms "dealer" and "securities" defined.

SECTION 1. Under this act, the term dealer shall mean any individual, partnership, association or corporation engaging in the selling or offering for sale of securities, except to or through the medium of, or as agent or salesman of, a registered dealer. But sales made by or in behalf of a vendor in the ordinary course of *bona fide* personal investment of his personal holdings or change of

such investments shall not constitute such vendor or the agent of such vendor, if not otherwise engaged either permanently or temporarily in selling securities, a dealer in securities. Nor shall the offer of or sale of its own securities by an association or a corporation to its own members or stockholders constitute such association or corporation a dealer in securities nor in the case of the foundation of a New Hampshire corporation organized to do business within the state shall the offer of a sale of its securities by such corporation constitute it a dealer in securities. The term "securities" shall include all classes of stocks, bonds, debentures or certificates of participation.

SECT. 2. No dealer in securities shall in this state by direct solicitation or through agents or salesmen or by letter, circular or advertising, sell, offer for sale, or invite offers for or inquiries about securities unless registered as a dealer under the provisions of this act. No salesman or agent shall in this state in behalf of any dealer, sell, offer for sale, or invite offers for or inquiries about securities unless registered as a salesman or agent of such dealer under the provisions of this act.

Dealer in securities to be registered.

SECT. 3. Any dealer desiring registration shall file written application therefor with the insurance commissioner accompanied by a registration fee of twenty-five dollars, the fee to be returned if the application is not granted. The application shall be in such form as may be prescribed by the commissioner and shall state in writing the principal place of business, the name or style of doing business, and the address of the dealer, the names, residences and business addresses of all persons interested in the business as principals, officers, directors or managing agents, specifying as to each his capacity and title, and the length of time during which the dealer has been engaged in the business. Every non-resident dealer shall file a power of attorney, irrevocable, properly authorized, and with satisfactory certificates or other evidence of the authorization, appointing the commissioner his agent for the service of legal process upon the dealer in any action in the courts of this state based upon or arising in connection with any sale of, attempt to sell, or advertising of securities in this state, or any violation of this act. Upon the filing of the application the commissioner shall forthwith give notice of the fact and date of such application and of the name, principal place of business and address of the dealer, by advertisement inserted in one or more newspapers of general circulation. The registration certificate shall not be issued before the expiration of two weeks from the completion of such publication. Any person may within such two-weeks period file objection to the proposed registration. Each application shall be accompanied by certificates or other evidence sufficient to reasonably establish the dealer's good repute. The commissioner may make such other and further investigation thereof as he may deem desirable. Upon being satisfied of

Insurance commissioner to register dealers. Application. Publication. Objections. Certificate. Fee.



the dealer's good repute the commissioner shall, in case no objection to the proposed registration be filed, register the dealer. If the commissioner shall not be satisfied of the dealer's good repute or if, within the two-weeks period succeeding the publication aforesaid, objection shall be made to the proposed registration, he shall give notice of either fact to the dealer, and upon request from the dealer shall fix a time and place for hearing of which fourteen days' notice shall be given by mail to the dealer and to the objectors; and at such hearing opportunity shall be given to said dealer and to any other persons interested or objecting to offer further evidence as to the dealer's character and repute. If satisfied as a result of such hearing of the dealer's good character and repute in business, the commissioner shall thereupon register the dealer. Upon registration of any dealer a registration certificate shall be issued stating the name, principal place of business and address of the dealer, the names, residences and business addresses of all persons interested in the business as principals, officers, directors or managing agents, and the fact that the dealer has been registered for the current calendar year as a dealer in securities. The certificate shall in other respects be in such form as the commissioner may determine, but shall state in bold type that the commissioner does not recommend and assumes no responsibility for, securities offered by the dealer. Certified copies of this certificate shall be furnished to the dealer at one dollar each. Changes in the certificate necessitated by changes in the personnel of a partnership, or in the principals, officers, directors or managing agents of any dealer, may be made at any time upon written application to the commissioner, accompanied by statement of the facts necessitating the change upon the payment of the required fee of one dollar. Upon the issue of the amended certificate, the original certificate and the certified copies thereof outstanding shall be promptly surrendered to the commissioner for cancellation.

Agents and salesmen of dealer, to be registered.  
Procedure. Fee.  
Revocation.

SECT. 4. Upon written application by a registered dealer, accompanied by a registration fee of ten dollars for each person, the commissioner shall, if he is satisfied that they are suitable persons, register, as agents or salesmen of such dealer, such persons as the dealer may request. The application shall be in such form as the commissioner may prescribe and shall state the residences and addresses of the persons whose registration is requested. The commissioner shall issue to each person so registered a registration certificate stating his name, residence and address, the name, principal place of business and the address of the dealer, and the fact that he is registered for the current calendar year as agent or as salesman (as the case may be) of the dealer. The certificate shall in other respects be in such form as the commissioner shall determine, but shall state in bold type that the commissioner does not recommend or assume any responsibility for securities offered by the

dealer or the dealer's agents or salesmen. Such registration of agents may be renewed from year to year upon the request of the dealer and the payment of the registration fee of ten dollars. Upon application by the dealer, the registration of any agent or salesman shall be cancelled.

SECT. 5. All registrations of dealers or agents shall expire at the close of the calendar year, but new registrations of dealers for the succeeding year shall be issued as of course without the filing of further statements or furnishing any further information, unless specifically requested by the commissioner, upon written application of the dealer and payment of a registration fee of twenty-five dollars for each registration. Registration to be for calendar year. Renewal and fee.

SECT. 6. The commissioner shall at least twice during each year publish in a state paper a list of the then registered dealers, and of their registered agents or salesmen, and shall also at any time on request by mail or otherwise inform any inquirer as to whether or not any individual, partnership, corporation or association is registered either as dealer, agent or salesman. Commissioner to publish semi-annually list of registered dealers.

SECT. 7. Any dealer may, and any person named in a registration certificate as above provided may, in behalf of any dealer, sell, offer for sale or invite offers for or inquiries about securities in this state, but shall at all times when so engaged carry with him the registration certificate, or a copy thereof certified by the commissioner, which shall at any time be shown to any prospective customer upon request. No dealer, agent or salesman shall advertise publicly the fact of his registration or use such fact or the registration certificate in connection with any sale or effort to sell securities, except by statement of the fact or by exhibiting the certificate or a certified copy thereof. Registered dealers may sell securities within this state.

SECT. 8. The commissioner may require a dealer to file with him a list of the securities which he is at the time offering or is about to offer for sale, and if he deem it expedient he may require the filing of statements of assets, liabilities and earnings, or any other facts he may deem pertinent in relation to any of the securities offered or to be offered by the dealer or the associations or corporations issuing them; and may require the filing of copies of any or all printed or otherwise reduplicated circulars or printed advertisements relating to securities which the dealer has within six months offered for sale or which the dealer shall thereafter offer for sale; and, thereupon if the commissioner is of the opinion that such securities are of such a character that there is a serious financial danger to the purchaser in buying them or that the circulars and advertisements do not disclose pertinent facts sufficient to enable intending purchasers to form a correct judgment of the nature and value of the securities, he may prohibit the dealer from selling or offering the securities, or any of them, or in anyway advertising the same; but nothing in this section shall be construed to require Commissioner may prohibit sale of undesirable securities, when.

a registered dealer to file with the commissioner any statement circular or advertisement as a condition precedent to the selling or offering of any security or to refrain from the selling or offering of any security at any time unless the selling or offering of such security shall have been thus specifically prohibited by the commissioner.

Revocation of  
dealers' and  
agents' registra-  
tion, by commis-  
sioner, when and  
how.

SECT. 9. The commissioner may, unless furnished with satisfactory evidence as provided in the preceding sections, or in case of violation of any provision of this act, or in case of dishonest, deceitful or fraudulent conduct on the part of any dealer in connection with the carrying on of the business, revoke such dealer's registration, and may, having reasonable cause to believe that any dealer has been guilty of violation of the provisions of this act, or of dishonest, deceitful or fraudulent conduct in connection with the carrying on of the business, suspend such dealer's registration until satisfied to the contrary. In either case the dealer shall not be regarded as registered under the provisions of this act until restored to registration by the commissioner. The revocation or suspension of the dealer's registration shall constitute a revocation or suspension of the registration of any agent or salesman of the dealer. The commissioner may, in case of violation of any provision of this act, or in case of dishonest, deceitful or fraudulent conduct, on the part of any agent or salesman in connection with the business, revoke such agent's or salesman's registration; and may, having reasonable cause to believe that any agent or salesman has been guilty of violation of the provisions of this act, or dishonest, deceitful or fraudulent conduct in connection with the business, suspend the agent's or salesman's registration until satisfied to the contrary. In either case, the agent or salesman shall not be regarded as registered under the provisions of this act, until restored to registration by the commissioner. In case of suspension or revocation of registration, all certificates shall at once be surrendered to the commissioner upon his request.

Notice by com-  
missioner to  
dealer or agent  
may be by mail.

SECT. 10. Notice of any requirement or decision of the commissioner shall be sufficient if sent by mail addressed to the dealer, agent or salesman, as the case may be, at the address designated in the application for registration.

Banks and trust  
companies not  
within purview of  
this act.

SECT. 11. Nothing in this act shall apply to the banks or trust companies of this state acting as agents for their customers in the purchase of securities.

Penalties.  
Evidence in civil  
proceedings.

SECT. 12. Any dealer or any person violating any provision of this act, or knowingly filing with the commissioner or furnishing to him any false or misleading statements or information, shall be punishable upon conviction thereof by a fine of not more than two thousand dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment; and such false or misleading statements or information so furnished shall be evidence in court that any sales of such stock or bonds made thereafter were



made on false representation in a suit to recover damages on account of loss sustained through the purchase thereof.

SECT. 13. There is hereby appropriated from the revenue collected under this act five hundred dollars (\$500) additional salary for the insurance commissioner, upon whom devolves the duty of enforcing this act; and the sum of eight hundred dollars (\$800) for the salary of a clerk; and out of the revenue collected under this act his actual expenses. All fees collected under this act shall be paid by said commissioner to the state treasurer.

Salary; fees and expenses.

SECT. 14. This act shall take effect on its passage but no registration shall be necessary or become effective under this act before the first day of September, 1917.

Takes effect on passage; but registration unnecessary until Sept. 1, 1917.

[Approved April 19, 1917.]

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CHAPTER 203.

AN ACT TO PROHIBIT THE DESTRUCTION OF FOODSTUFFS IN TIME OF WAR.

SECTION

1. Trespass to garden or truck farms during time of war prohibited. Penalty.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. If any person shall, during time of war, enter upon any field, garden or land of another, sown, planted or cultivated with grain, vegetables, fruit, article of food or substance used in the preparation of food, with intent to retard or injure the growth of the same, or shall cut, carry away or injure any growth or product of the soil of such field, garden or land, he shall be fined not exceeding five hundred dollars or be imprisoned not exceeding one year, or both.

Trespass to garden or truck farms during time of war prohibited. Penalty.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]



## CHAPTER 204.

AN ACT TO AMEND SECTION 7 OF CHAPTER 167 OF THE LAWS OF 1915  
RELATING TO THE PRACTICE OF MEDICINE.

## SECTION

1. Necessary period of study in medical school may be suspended in time of war by the board of medical examiners.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Necessary period of study in medical school may be suspended in time of war by the board of medical examiners.

SECTION 1. Amend paragraph 4 of section 7 of chapter 167 of the Laws of 1915 by adding at the end thereof the following: The provisions of this paragraph may be suspended in whole or in part by order of the board of medical examiners on account of war or other threatened or existing national calamity, so that said paragraph as amended shall read as follows: (4) Has studied the treatment of human ailments not less than four school years of not less than nine months each, in a medical school registered as maintaining at that time a standard satisfactory to the board, and has graduated from such school. The provisions of this paragraph may be suspended in whole or in part by order of the board of medical examiners on account of war or other threatened or existing national calamity.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 19, 1917.]

## CHAPTER 205.

AN ACT RELATING TO THE TRANSFER OF QUESTIONS OF LAW FROM THE  
PUBLIC SERVICE COMMISSION TO THE SUPREME COURT.

## SECTION

1. Direct transfer of questions of law authorized.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Direct transfer of questions of law authorized.

SECTION 1. The public service commission may at any time reserve, certify and transfer to the supreme court for decision any question of law arising during the hearing of any matter before

said commission. Such reserved and certified case may be entered in the supreme court at any time.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 19, 1917.]

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## CHAPTER 206.

AN ACT IN AMENDMENT OF CHAPTER 176 OF THE LAWS OF 1915, RELATING TO THE MANAGEMENT AND CONTROL OF STATE INSTITUTIONS, AS AMENDED BY AN ACT APPROVED APRIL 3, 1917.\*

### SECTION

1. Board of trustees of state institutions, created. Tenure of office. Vacancies, how filled.

### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend chapter 176 of the Laws of 1915, relating to the management and control of state institutions, as amended by an act approved April 3, 1917, by striking out section 2 thereof, and inserting in its place the following: SECT. 2. The governor, with the advice and consent of the council, shall appoint five suitable persons, who, with the governor, *ex officio*, shall constitute said board. The members so appointed shall hold office, as designated by the governor, for one, two, three, four, and five years respectively, and until their successors are appointed and qualified. At the expiration of such terms, appointment shall be made for a term of five years. Vacancies shall be filled by appointment as aforesaid, for the unexpired part of a term.

Board of trustees  
of state institu-  
tions, created.  
Tenure of office.  
Vacancies how  
filled.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 19, 1917.]

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\* See chapter 112, section 2, *ante*.

## CHAPTER 207.

AN ACT IN AMENDMENT OF CHAPTER 139, LAWS OF 1915, "AN ACT IN ADDITION TO AND IN AMENDMENT OF CHAPTER 35 OF THE LAWS OF 1905, CHAPTER 155 OF THE LAWS OF 1909, CHAPTERS 158 AND 168 OF THE LAWS OF 1913, AND SECTION 1, CHAPTER 84, OF THE LAWS OF 1913," RELATING TO PERMANENT IMPROVEMENT OF MAIN HIGHWAYS.

## SECTION

1. Certain roads to come within purview of Laws of 1913, ch. 84, s. 1.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Certain roads to come within purview of Laws of 1913, ch. 84, s. 1.

SECTION 1. Amend section 1 of chapter 139, Laws of 1915, by striking out the words "chapter 35 of the Laws of 1905," so that said section as amended shall read: SECTION 1. All roads included in chapter 155 of the Laws of 1909, and chapters 158 and 168 of the Laws of 1913, shall be included in the terms of section 1, chapter 84, Laws of 1913.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 19, 1917.]

## CHAPTER 208.

AN ACT IN FAVOR OF PLYMOUTH NORMAL SCHOOL.

SECTION 1. \$16,500 appropriated for specified purposes. Takes effect May 15, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

\$16,500 appropriated for specified purposes. Takes effect May 15, 1917.

SECTION 1. The sum of sixteen thousand five hundred dollars is hereby appropriated for repairs and improvements at Plymouth normal school, viz: (1) for drainage, grading, walks, gutters, etc., about Mary Lyon house (new dormitory), \$3,300; (2) furniture for dormitory and gymnasium, \$1,000; (3) buying the property east of building, \$4,000; (4) subway from boiler room with new steam piping, \$7,500; (5) general repairs, \$700; said sums to be expended under the direction and control of the board of trustees of state institutions and said act shall take effect May 15, 1917.

[Approved April 19, 1917.]

## CHAPTER 209.

AN ACT IN AMENDMENT OF CHAPTER 13 OF THE PUBLIC STATUTES, RELATING TO THE NEW HAMPSHIRE SOLDIERS' HOME, AS AMENDED BY CHAPTER 18 OF THE LAWS OF 1899.

## SECTION

1. New Hampshire Soldiers' Home, to receive dependent soldiers who serve in the war with Germany.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend chapter 13 of the Public Statutes, relating to the New Hampshire Soldiers' Home, as amended by chapter 18 of the Laws of 1899, by striking out section 1 thereof, and substituting in its place the following: SECTION 1. There is established in this state a home, known as the New Hampshire Soldiers' Home, for the support and care of men who served in the army or navy of the United States, in the Mexican war, the war of the Rebellion, the Spanish war, and who may serve in the war with Germany, and were or shall be honorably discharged therefrom, and who are or may become unable to earn a livelihood by reason of wounds, disease, old age, or other infirmity, and have no adequate means of support.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]

## CHAPTER 210.

AN ACT RELATIVE TO THE SALARY OF THE TREASURER OF MERRIMACK COUNTY.

## SECTION

1. Salary fixed at \$400.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The annual salary of the treasurer of the county of Merrimack shall hereafter be four hundred dollars payable as now provided by law.

Salary fixed at \$400.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved April 19, 1917.]



## CHAPTER 211.

## AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF A STATE TAX FOR THE YEAR 1918.

## SECTION

1. \$800,000 fixed as state tax for 1918.

## SECTION

2. Repealing clause; takes effect Sept. 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

\$800,000 fixed as state tax for 1918.

SECTION 1. The sum of eight hundred thousand dollars shall be raised for the use of the state for the year 1918, and the state treasurer is hereby directed seasonably to issue his warrants to the selectmen of the several towns and places, and to the assessors of the several cities in the state, according to the apportionment of the public taxes made at the January session of the legislature in 1917, and the selectmen of such towns and places, and the assessors of such cities, are hereby directed to assess the sums specified in said warrants and cause the same to be paid to said treasurer on or before the first day of December 1918; and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the date last above mentioned.

Repealing clause; takes effect Sept. 1, 1917.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect September 1, 1917.

[Approved April 19, 1917.]

## CHAPTER 212.

## AN ACT IN AMENDMENT OF SECTION 2 OF CHAPTER 141 OF THE LAWS OF 1913 RELATING TO THE COURTS.

## SECTION

1. Salaries of justices of supreme and superior court to be \$5,000 annually; and actual expenses.

## SECTION

2. Takes effect Sept. 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Salaries of justices of supreme and superior court to be \$5,000 annually; and actual expenses.

SECTION 1. Section 2 of chapter 141 of the Laws of 1913 is hereby amended by striking out the whole of said section and substituting the following: SECT. 2. The annual salary of the chief justice and the associate justices of the supreme court shall be five thousand dollars each, and the annual salary of the chief justice and the associate justices of the superior court shall be five thousand

dollars each. Actual expenses shall be allowed the justices of the courts as now provided.

SECT. 2. This act shall take effect September 1, 1917.

Takes effect Sept. 1, 1917.

[Approved April 19, 1917.]

CHAPTER 213.

AN ACT TO PROVIDE STATE PAY FOR SOLDIERS IN THE SERVICE OF THE UNITED STATES.

SECTION

1. National guardsmen in service to receive from the state such sum, not exceeding \$7 per month, as will make his total compensation \$30 per month.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Whenever the national guard of this state or any part thereof shall be called into active service under the requisition of the President of the United States, or whenever any citizen of this state shall be drafted into or shall volunteer for such service, every enlisted man of such national guard, drafted men or volunteers so in service shall receive from the state of New Hampshire the sum of seven dollars per month, the same to be in addition to any pay he may receive from the government of the United States; *provided, however,* that the total per month received by the soldier from the United States and under this act shall not exceed thirty dollars (\$30); and only such part of said seven dollars (\$7) per month shall be paid said soldier as will make the said total thirty dollars (\$30); and the sum paid under the provisions of this act shall be a charge upon the appropriation for military purposes made at the present session of the legislature.

National guardsmen in service to receive from the state such sum, not exceeding \$7 per month, as will make his total compensation \$30 per month.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]

CHAPTER 214.

AN ACT IN RELATION TO THE JOHN NESMITH TRUST FUND.

SECTION

1. \$80,000 received from Nesmith estate to be a trust fund for the benefit of the indigent blind.

SECTION

2. Such sum appropriated annually as, with the income from trust fund, will amount to \$3,700 to be expended for the indigent blind under direction of governor and council, on recommendation of state board of charities.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

\$80,000 received from Nesmith estate to be a trust fund for the benefit of the indigent blind.

SECTION 1. That the sum of eighty thousand dollars, received under the will of John Nesmith, late of Lowell, Massachusetts, in accordance with the compromise agreement between the state of New Hampshire and Joseph A. Nesmith *et al.*, trustees, and now in the possession of the state, shall be held by it, as a trust fund for the benefit of the indigent blind of the state. The principal of said trust fund shall not be used by the state, nor shall it be invested in the notes and bonds of the state, but shall be from time to time invested and reinvested by the governor and council and kept intact to the full amount thereof.

Such sum appropriated annually as, with the income from trust fund, will amount to \$3,700 to be expended for the indigent blind under direction of governor and council, on recommendation of state board of charities.

SECT. 2. That there shall be appropriated annually from the first of September, 1916, thirty-seven hundred dollars, less the annual income derived from said trust fund to comply with the terms of the trust under the will of said John Nesmith. And said thirty-seven hundred dollars shall be expended for the aid, support, maintenance and education of the indigent blind of the state of New Hampshire under the direction of the governor and council, as may be recommended from time to time by the state board of charities and correction.

[Approved April 19, 1917.]

CHAPTER 215.

AN ACT ESTABLISHING AND CHANGING THE PRESENT LOCATION OF A PART OF A SYSTEM OF CONTINUOUS HIGHWAYS AS ENUMERATED IN SECTION 1 OF CHAPTER 93, LAWS OF 1915.

SECTION

1. Cross-state highway from Claremont to Rochester changed as to part.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That so much of said system of continuous highways as located and designated by the highway commissioner from Claremont to Rochester, extending from a point in Barrington to a point in said Rochester, be and hereby is changed as follows: Beginning at a point in the town of Northwood at or near the Old Pillsbury Place, so called, thence on a line to Bow Lake village, in the town of Strafford, thence from said Bow Lake village to Strafford Ridge, so called, in said town of Strafford, thence from said Strafford Ridge to Meaderboro corner, in said Rochester, thence from said Meaderboro corner to Strafford square, so called, in said Rochester. The highway commissioner is hereby authorized and instructed to designate the width of said highway and file the same with the secretary of state. *Provided* that the town of Strafford pay the cost in addition to its proportional share of the expense of construction, as may be estimated by the highway commission, of a road foundation over sections of said highway where at present there is no road, agreeably to the vote of said town passed at its annual meeting held March, 1916.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 19, 1917.]



CHAPTER 216.

AN ACT IN AMENDMENT OF AN ACT ENTITLED “AN ACT DIRECTING THE GOVERNOR AND THE GOVERNOR AND COUNCIL TO ASSIST THE GOVERNMENT OF THE UNITED STATES IN THE PRESENT CRISIS AND AUTHORIZING THEM TO PROVIDE FOR THE PUBLIC SAFETY,” APPROVED MARCH 27, 1917.\*

SECTION

1. Earlier appropriation of \$500,000 raised to \$1,000,000.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Earlier appropriation of \$500,000 raised to \$1,000,000.

SECTION 1. Amend section 3 of an act entitled “An Act directing the governor and the governor and council to assist the government of the United States in the present crisis and authorizing them to provide for the public safety,” approved March 27, 1917, by striking out the words “five hundred thousand” and inserting in place thereof the words one million, so that said section as amended shall read as follows: SECT. 3. The governor, with the advice and consent of the council, is hereby authorized to draw his warrant upon any money in the treasury not otherwise appropriated and the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state such further sums, not exceeding in all one million dollars, as may be necessary to carry out the provisions of this act, and for that purpose may issue bonds or notes in the name and on behalf of the state, at the lowest rate of interest obtainable, in such form and in such denominations and on such time as the governor and council may determine.

Such bonds and notes shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds and notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the time when payable and the date of delivery to the treasurer. The treasurer shall keep an account of each bond and note, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds shall be held by the treasurer and paid by him upon war-

\* See chapter 97, ante.

rants drawn by the governor for the purposes of this act alone, until otherwise ordered by the legislature.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 19, 1917.]

CHAPTER 217.

AN ACT TO CREATE A BUREAU OF MARKETS.

SECTION

- 1. Bureau of markets established.
- 2. Commissioner of agriculture to have charge of.
- 3. Dissemination of information as to market conditions, etc.

SECTION

- 4. \$200 per annum for next two years, appropriated to carry it into effect.
- 5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. There is hereby created in the office of the commissioner of agriculture a bureau for the purpose of aiding, assisting and promoting the marketing of agricultural, orchard, farm, dairy, and other similar products in this state, which shall be known as the bureau of markets.

Bureau of markets established.

SECT. 2. Said bureau shall be located in the office of the commissioner of agriculture, and shall be under the supervision, charge and care of said commissioner.

Commissioner of agriculture to have charge of.

SECT. 3. It shall be the duty of the commissioner of agriculture to obtain information in regard to the quality, quantity, and locality of agricultural products such as, orchard, farm, dairy, farm forest, and other similar produce in this state; to find available and profitable markets for the same; to inform the producers of this state, by the publication of such information through the public press or otherwise, where such markets may be found; to compile and publish data concerning the production and consumption of food products in this state; to adopt means of securing market reports from centers of distribution and to disseminate this information to the producers by the press or otherwise, free of cost to them; and in adopting all reasonable means in whatever manner seems best to bring into closer relationship the producers and consumers of this state.

Dissemination of information as to market conditions, etc.

SECT. 4. To provide for carrying out the intent and purposes of this act, the sum of two hundred dollars is hereby appropriated for the year nineteen hundred and seventeen, and a like amount for the year nineteen hundred and eighteen, and the governor is hereby authorized to draw his warrant for the same.

\$200 per annum for next two years, appropriated to carry it into effect.

Repealing clause;      SECT. 5. All acts or parts of acts inconsistent with this act are  
takes effect on      hereby repealed, and this act shall take effect upon its passage.  
passage.

[Approved April 19, 1917.]

CHAPTER 218.

AN ACT PROVIDING FOR THE PAYMENT OF A PART OF THE DAMAGE DONE  
BY THE DEPOSIT OF ANTHRAX GERMS IN THE JOHNS RIVER.

SECTION

- 1. Town of Whitefield authorized to raise and appropriate money for compensating injured parties in Whitefield and Dalton.
- 2. State to pay one-third of the damage, on recommendation of commissioner of agriculture.

SECTION

- 3. Not to be paid until commissioner is satisfied that assessment of damage is fair.
- 4. \$5,000 appropriated to carry out this act.
- 5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Town of White-      SECTION 1. The town of Whitefield is hereby authorized to raise  
field authorized to      money for the purpose of paying all or any of the damages done  
raise and appro-      to real estate on the Johns river, so called, and to cattle, hay and  
priate money for      other crops and property, within said town or the town of Dalton  
compensating      by the deposit of anthrax germs or bacilli in said river.  
injured parties in  
Whitefield and  
Dalton.

State to pay      SECT. 2. When the damages suffered by any person by reason  
one-third of the      of injury to his property in said town of Whitefield or in the town  
damage, on      of Dalton, occasioned by said deposit of anthrax germs or bacilli  
recommendation      in said river have been determined by the courts or by agreement  
of commissioner      with the party damaged, and two-thirds of said damages have been  
of agriculture.      paid by the Whitefield Tanning Company or the town of Whitefield  
or either of them, the commissioner of agriculture, if satisfied that  
the damages as thus determined are just and fair, is hereby author-  
ized to pay the remaining one-third of said damages to the person  
injured from any state funds appropriated for that purpose.

Not to be paid      SECT. 3. No part of any money thus appropriated shall be paid  
until commissioner      out upon any such claim until the commissioner of agriculture shall  
is satisfied that      be satisfied that the damages, as thus determined, are just and  
assessment of      fair and that two-thirds of said damages have been paid to the  
damage is fair.      person entitled to them.

\$5,000 appro-      SECT. 4. The sum of five thousand dollars or such part thereof  
priated to carry      as may be necessary is hereby appropriated to meet the expend-  
out this act.      itures authorized by this act and the governor is hereby authorized  
to draw his warrant upon the state treasury, for the payment of the

same, upon the advice of the commissioner of agriculture that the conditions hereinbefore set forth have been complied with.

SECT. 5. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 19, 1917.]

## CHAPTER 219.

AN ACT IN RELATION TO FREE TUITION IN HIGH SCHOOLS AND ACADEMIES IN CERTAIN CASES, AND IN AMENDMENT OF SECTION 6, CHAPTER 96, LAWS OF 1901, AS INSERTED BY SECTION 3, CHAPTER 118, LAWS OF 1903, AND AMENDED BY CHAPTER 90, LAWS OF 1905, AND CHAPTER 126, LAWS OF 1915.

### SECTION

1. School district may contract with academies or high schools for education of scholars. Procedure.

### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 6, chapter 96, Laws of 1901, as inserted by section 3, chapter 118, Laws of 1903, and amended by section 1, chapter 90, Laws of 1905, and section 1, chapter 126, Laws of 1915, is hereby amended by striking out the whole of said section and inserting in place thereof a new section to read as follows: SECT. 6. Any school district may make contracts with any academies or high schools or other literary institutions located in the state for furnishing instruction to its scholars; and such school district may raise and appropriate money to carry into effect any contracts in relation thereto. Every such academy or high school or literary institution shall then be deemed a high school maintained by such district, if approved by the superintendent of public instruction in accordance with section 4 of this act; *provided, however*, that whenever it shall appear that attendance of any pupil at the school with which such contract shall have been made will work manifest hardship and when it shall further appear that attendance at some other approved high school or academy will not work hardship the pupil through his parent or guardian or some other responsible citizen may apply to the school board for an order transferring the pupil to such more accessible approved high school or academy. The school board shall thereupon within ten days order a hearing upon the case and if it shall appear to them that the claim is well founded shall issue such order, and the district in which the child with parent or guardian resides shall then be liable to the academy



or high school to which such child is assigned for tuition of such child as provided by chapter 96, Laws of 1901, and amendments thereto; and *provided, further*, that the person making application to the school board as provided in this act or the governing board of the high school or academy with which such contract shall have been made may appeal from the decision of the school board to the superintendent of public instruction for review and final decision and either party shall have the same right of appeal in case the school board shall neglect or refuse to reach a decision within ten days from the date of filing application.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 19, 1917.]

## CHAPTER 220.

### AN ACT RELATING TO THE SALARIES OF CERTAIN STATE OFFICIALS.

#### SECTION

1. Secretary of state, \$3,500.
2. State treasurer, \$3,000.
3. Adjutant-general, \$2,500.
4. Secretary of state board of health, \$3,000.
5. Secretary of state board of charities, \$2,000. Clerk of state board of charities, \$800.

#### SECTION

6. State forester, \$3,000.
7. Warden of state prison, \$2,500.
8. Deputy secretary of state, \$1,800.
9. Deputy state treasurer, \$1,800.
10. Takes effect May 1, 1917, as to s. 3 and Sept. 1, 1917, as to the rest.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Secretary of state,  
\$3,500.

SECTION 1. Section 3 of chapter 286 of the Public Statutes and amendments thereto, relating to the secretary of state, is hereby amended by striking out all of said section and inserting in place thereof the following: SECT. 3. The annual salary of the secretary of state shall be thirty-five hundred dollars, which shall be in full for his services. He shall return an account quarterly on the last day of March, June, September and December of each year, to the governor and council of all fees received by him for civil commissions, for making and giving copies and certificates to individuals for private use, and of all other fees received by him for official acts, and shall pay the amount thereof to the state treasurer for the use of the state.

State treasurer,  
\$3,000.

SECT. 2. Section 5 of chapter 286 of the Public Statutes and amendments thereto, relating to the salary of the state treasurer, is hereby amended by striking out all of said section and inserting

in place thereof the following: SECT. 5. The annual salary of the state treasurer shall be three thousand dollars, which shall be in full for his services.

SECT. 3. Section 8 of chapter 286 of the Public Statutes and amendments thereto relating to the salary of the adjutant-general is hereby amended by striking out all of said section and inserting in place thereof the following: SECT. 8. The annual salary of the adjutant-general shall be twenty-five hundred dollars, which shall be in full for his services. Adjutant-general, \$2,500.

SECT. 4. Amend chapter 107 of the Public Statutes, relating to the state board of health by striking out section 11 and inserting in place thereof the following: SECT. 11. The salary of the secretary shall be three thousand dollars per annum, to be paid from the state treasury. Secretary of state board of health, \$3,000.

SECT. 5. Section 7 of chapter 116 of the Laws of 1895, as amended by section 1, chapter 50, Laws of 1901, and section 1, chapter 171, Laws of 1911, relative to the salary of the secretary of the state board of charities and correction, is hereby amended by striking out the last sentence of said section and inserting in place thereof the following: The salary of the secretary shall be two thousand dollars per annum, and the salary of the clerk shall be eight hundred dollars per annum, so that said section as amended shall read as follows: SECT. 7. The reasonable expenses of said state board of charities shall be paid by the governor and council out of any funds in the treasury not otherwise appropriated, and the said state board of charities shall be authorized to appoint a secretary from outside its membership, who, under the direction of the board, shall give his entire time to the duties of the board, act as visiting agent to the placed-out children, and supervisor of volunteer visitors, and perform such other duties, under the direction of the board, as may rightfully belong to his office. The salary of the secretary shall be two thousand dollars per annum, and the salary of the clerk shall be eight hundred dollars per annum. Secretary of state board of charities, \$2,000. Clerk of state board of charities, \$800.

SECT. 6. Amend section 2, chapter 128 of the Laws of 1909, relating to the salary of the state forester, as amended by section 1, chapter 166, Laws of 1911, and section 1, chapter 159, Laws of 1913, by striking out the figures \$2,500 in first sentence of said section and inserting in place thereof \$3,000, so that said sentence as thus amended shall read as follows: SECT. 2. The forestry commission shall appoint a state forester to serve at the will of the commission at a salary to be fixed by commission, not to exceed \$3,000 a year. State forester, \$3,000.

SECT. 7. Amend section 11, chapter 286 of the Public Statutes, as amended, by striking out the whole of said section and substituting in place the following: SECT. 11. The salary of the warden of the state prison shall be \$2,500 and shall be in full of his services. Warden of state prison, \$2,500.

Deputy secretary  
of state, \$1,800.

SECT. 8. Amend section 1, chapter 175 of the Laws of 1915 by striking out the whole of said section and substituting in place thereof the following: SECTION 1. The salary of the deputy secretary of state shall be eighteen hundred dollars per annum.

Deputy state  
treasurer, \$1,800.

SECT. 9. Amend section 1, chapter 24 of the Laws of 1915 by striking out the whole of said section and inserting in place thereof the following: SECTION 1. The salary of the deputy state treasurer shall be \$1,800 per annum.

Takes effect May  
1, 1917, as to  
s. 3 and Sept. 1,  
1917, as to the  
rest.

SECT. 10. Section 3 of this act shall take effect May 1, 1917, and all other sections September 1, 1917.

[Approved April 19, 1917.]

## CHAPTER 221.

### AN ACT TO AUTHORIZE THE GOVERNOR AND COUNCIL TO ACQUIRE REAL ESTATE FOR MILITARY PURPOSES.

#### SECTION

1. Governor authorized to acquire any real estate in N. H. deemed necessary for military purposes.
2. Proceedings for condemnation under right of eminent domain.

#### SECTION

3. Payment from funds available for military purposes, authorized.
4. Property to be held for military purposes until otherwise ordered by the legislature.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Governor  
authorized to  
acquire any real  
estate in N. H.  
deemed necessary  
for military  
purposes.

SECTION 1. The governor, with the advice and consent of the council, is hereby empowered to acquire on behalf of the state, either by purchase, or otherwise as hereinafter provided, any real estate within the state which they may deem necessary for the use of the national guard, the reserve militia or for any other military purpose, and to accept deeds thereof in the names of the state.

Proceedings for  
condemnation  
under right of  
eminent domain.

SECT. 2. The governor and council, for the purposes aforesaid, are hereby empowered to take and appropriate any such real estate for the use of the state by causing a survey or location of the same to be prepared under their direction in duplicate, one copy of which be filed with the secretary of state, and the other with the clerk of the superior court in the county in which the real estate is located, and by applying to the said court to appoint commissioners to assess the damages to the owner or owners. Such application shall state the names and residence, so far as known to them, of all persons claiming ownership of or interest in the property. Upon the filing of such survey or location and application in said court the title

to the real estate described therein shall vest in the state, and the court shall order notice to be given to all persons claiming ownership of or interest in the property to appear and present their claims at a time and place to be stated in the notice, by publication in a newspaper published in the town or city in which the real estate is situated if any, otherwise in a newspaper published within the county, and an attested copy thereof shall be given in hand, left at the usual place of residence or business, or sent by registered mail to the last known address of all claimants whose names appear in the application fourteen days at least before the said date of hearing. At the time and place stated in said notice the court shall hear the claims of all persons who shall appear, and shall determine all questions of title and in case more than one person shall be found to have an interest in the property shall determine the several interests of each and enter decree accordingly, and such decree shall be final except that all persons appearing before said court as claimants of the property and the state shall be entitled to an appeal to the supreme court on questions of law. Upon a final determination of said questions of title the court shall appoint a commission of three persons to assess the damages. Said commissioners, upon reasonable notice to all persons found by the court to have an interest in the property and hearing thereon, shall assess the damages to the owner or owners and make a return of their said assessment to the court. Such owner or owners, or either of them or the state, if dissatisfied with said award, may appeal therefrom to the said superior court, and shall be entitled to an assessment of said damages by a jury, on such appeal, by filing in the office of the clerk of said court a petition for that purpose within thirty days after the return of said award to the court as aforesaid; such appeal to be prosecuted or defended on the part of the state by the attorney-general under the advice of the governor and council. The damages as finally determined shall be awarded to the owner or apportioned among the several owners in accordance with their several interests as previously determined by the court, as the case may be, and decree shall be entered accordingly.

SECT. 3. The governor, with the advice and consent of the council, is hereby authorized to draw his warrant upon any money in the treasury available for military purposes, or not otherwise appropriated, for such sums as may be necessary to carry out the provisions of this act.

SECT. 4. All real estate acquired under the provisions of this act shall be held by the state for the purposes aforesaid, until otherwise ordered by the legislature.

SECT. 5. This act shall take effect upon its passage.

Payment from funds available for military purposes, authorized.

Property to be held for military purposes until otherwise ordered by the legislature. Takes effect on passage.

[Approved April 19, 1917.]



CHAPTER 222.

AN ACT TO AMEND AN ACT APPROVED APRIL 12, 1917, ENTITLED "AN ACT RELATING TO WILLFUL AND MALICIOUS INJURIES."\*

SECTION

1. Penalty for willfully, wantonly or maliciously injuring certain classes of property.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Penalty for willfully, wantonly or maliciously injuring certain classes of property.

SECTION 1. If any person shall willfully, wantonly or maliciously injure, destroy or damage any public or other building or other property belonging to, or leased or used by the state, or any county, city, town or public utility within the state; or any building used for manufacturing purposes or for storage of grain or food products; or any munitions of war or other goods or property useful for military purposes while in process of manufacture, in transit or in storage; or any gas or oil tank; or any dam at the outlet of any lake or pond or upon any river or stream within the state; or any bridge upon any public highway, or toll bridge; or any buildings, rails, culverts, bridges, tracks, platforms or other parts or appendages of any railroad, or street or electric railway, or any engines or cars used thereon; or any posts, wires or other materials or fixtures of any railroad or public telegraph or telephone line, electric light or power line or any other public utility; or any fire engine or hydrant, or the apparatus thereto belonging; or any spring or reservoir or other property of any water company or of any city or town or municipal corporation used by it to supply water to its inhabitants or for extinguishing fires, or any aqueduct leading therefrom; or shall willfully, wantonly or maliciously place any obstruction on any public or toll bridge or public road with intention to injure persons passing thereon; or change, move, open, displace or tamper with any switch belonging to any railroad; or poison, defile or corrupt any well, spring, brook, lake, pond, river or reservoir, the water from which is used for domestic purposes, or attempt any of the foregoing, he shall be punished by a fine not exceeding five thousand dollars, or by imprisonment not exceeding ten years, or both.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 19, 1917.]

\* See chapter 145, ante.

## CHAPTER 223.

## AN ACT TO PROVIDE AID FOR CERTAIN DEPENDENT RELATIVES OF SOLDIERS AND SAILORS OF THE STATE OF NEW HAMPSHIRE WHEN CALLED IN THE FEDERAL SERVICE.

## SECTION

1. Dependent wife, child, parent, brother or sister of soldier entitled to state aid, when.
2. Rates classified.
3. Rate reduced, when federal aid received.
4. Application for aid; procedure.
5. Not subject to trustee process.
6. Chargeable to fund appropriated by Laws of 1917, ch. 216.

## SECTION

7. Committee of three to have charge of distribution.
8. Committee of three, duties and powers. May employ investigators.
9. Compensation of committee and investigators.
10. In force only during present war with Germany. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Any wife, child, parent, brother or sister, wholly dependent upon any resident of any city or town in the state of New Hampshire, who has enlisted or may hereafter enlist or be drafted into the military or naval service of the state, for state or federal service, shall be entitled to state aid in the manner hereinafter provided.

SECT. 2. Rates of payment to said dependents shall be as follows: (a) To a wife, not to exceed \$20 per month. (b) For each child, not over the age of sixteen, or any child that by reason of physical or mental incapacity is dependent upon the soldier or sailor, not to exceed \$5 per month. Such payments shall be made to the mother of said child or to its legally appointed guardian for its support. (c) To a mother when the soldier or sailor is her sole support, not to exceed \$20 per month. (d) To a father when said father is incapable of self-support and is entirely dependent on the soldier or sailor for support, not to exceed \$20 per month. (e) For a sister or brother not over sixteen years of age if entirely dependent on the soldier or sailor, not to exceed \$20 per month. Such payments shall be made to the legally appointed guardian of said brother or sister for its benefit. (f) Total amount to be paid to the dependents of any soldier or sailor shall not exceed the sum of \$35 per month, nor shall payments to the members of any one family exceed \$35 per month, and no person shall be accredited as the dependent of more than one soldier or sailor.

SECT. 3. In case the United States shall provide for and pay the dependents specified herein or any of them to any extent the amount to be paid under this act to such dependents as are affected by such federal action shall be reduced thereafter in such sums and under such regulations as the committee, hereinafter provided, shall direct.

Application for aid; procedure.

SECT. 4. Applicants for such aid shall, as a basis for such payments thereof, state in writing under oath the name, age and residence of the persons for whom such aid is sought, the relationship of the applicant to the soldier or sailor, the company, regiment or body in which said soldier or sailor is enlisted and in which he last served, the date and place of such enlistment when known, the duration of such service and the reasons for the application and shall furnish such official certificate or record, evidence of enlistment, service and discharge as the committee may require.

Not subject to trustee process.

SECT. 5. Monies paid to, or due to, said dependents under this act shall not be subject to trustee process.

Chargeable to fund appropriated by Laws of 1917, ch. 216.

SECT. 6. Monies expended under this act shall be a charge upon the appropriation provided for by an act, entitled "An Act directing the governor and the governor and council to assist the government of the United States in the present crisis and authorizing them to provide for the public safety."

Committee of three to have charge of distribution.

SECT. 7. The governor, with the approval of the council, shall appoint a committee of three to supervise the distribution of this money and carry out the provisions of this act. The treasurer of the state shall have control of the money and shall issue monthly checks to such dependents as are designated by the committee.

Committee of three, duties and powers. May employ investigators.

SECT. 8. The said committee shall pass upon all applications for aid and shall have the power to accept or reject any of them, and shall have the further power to fix the amount which each dependent shall receive under section 3, and shall have the power to employ competent agents and investigators to look into the merits of each application.

Compensation of committee and investigators.

SECT. 9. The committee shall hold meetings whenever necessary and at such places as are most convenient. They shall be paid their actual expenses and such compensation as the governor and council shall determine. The compensation of the agents and investigators shall not exceed \$3 per day.

In force only during present war with Germany. Takes effect on passage.

SECT. 10. This act is to be in effect only during the present war with Germany and shall take effect upon its passage.

[Approved April 19, 1917.]

CHAPTER 224.

AN ACT TO ESTABLISH AN ADDITIONAL SYSTEM OF CROSS-STATE HIGHWAYS.

SECTION

1. Highway commissioner to designate, governor and council to approve certain highways for improvement.
2. Highway commissioner to have charge of the order of improvement.
3. Route of highway may be changed in discretion of commissioner. Land may be taken by purchase or otherwise.
4. State aid to towns and cities, when; where to be expended.

SECTION

5. Commissioner to apportion fund.
6. Expense of improvement how met.
7. Designated highways to be maintained in accordance with certain specified statutes.
8. State's portion chargeable to 1917 appropriation for the completion of the trunk lines and certain cross lines, etc.
9. Repealing clause; takes effect May 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The highway commissioner may designate for im-  
Highway commissioner to designate, governor and council to approve certain highways for improvement.  
 provement by suitable description, subject to the approval of the governor and council, whenever in his opinion the public good so requires, a system of continuous highways which shall include the following in whole or in part and file the same with the secretary of state: 1. From a point on the Merrimack Valley road in Manchester to a point on the South Side road in Milford; and may be known as the Manchester-Milford road. 2. From the highway designated in the system Claremont to Rochester or Dover in act of 1915, chapter 93, in the town of Northwood to the town house corner in town of Durham. 3. From Dover to East Kingston through Newmarket and Exeter; to be known as the New Hampshire College road. 4. From Franklin square in city of Dover through Rollinsford to the Maine state line. 5. From a point on the East Side road at Hampton village, to the South Side road at Portsmouth avenue in Exeter. Said highway may be known as the Exeter-Hampton road. 6. From Laconia to Concord via Belmont, either by the so-called Shaker road, or by the so-called Hollow Route road as the highway commissioner, by and with the consent of the governor and council shall determine.

SECT. 2. The highway commissioner shall determine the route,  
Highway commissioner to have charge of the order of improvement.  
 subject to the approval of the governor and council, to be followed by each of the highways enumerated in section 1 of this act and the order in which work thereon shall be begun, prosecuted, and completed, subject to appeal as provided by law.

SECT. 3. The routes of such highways may be changed from ex-  
Route of highway may be changed in discretion of commissioner. Land may be  
 isting highways by the highway commissioner to such extent as in his opinion the public good may require, and for that purpose he



taken by purchase or otherwise. is authorized to designate such changes, and the governor and council may take or purchase land and have damages assessed therefor, in accordance with the provisions of chapter 35, Laws of 1905.

State aid to towns and cities, when; where to be expended. SECT. 4. No city or town through which said highways may be designated to pass shall receive any state aid for highway improvement other than on highways heretofore designated for improvement, except on such highways until said improvement thereon shall have been completed within such city or town. No part of the funds hereinafter provided shall be used within the compact part of any city or town having a population of twenty-five hundred or more, such compact part to be determined by the highway commissioner.

Commissioner to apportion fund. SECT. 5. The highway commissioner shall apportion the fund hereinafter provided to the several cities and towns through which said highways shall pass. In making such apportionment, preference shall be given to such parts of said highways as have not heretofore been improved under state aid, and to such portions as shall be in such condition as to require immediate improvement. If, in the opinion of the highway commissioner, any part or parts of such highways shall be in such condition as to require immediate improvement, the money hereby appropriated may be used wholly or in part in improving such part or parts, and the highway commissioner shall have authority to make all contracts for the immediate improvement of such part or parts.

Expense of improvement how met. SECT. 6. The highways enumerated in section 1 of this act shall be improved by that city, town, or place within which they are located, at the expense of such city, town, or place, and to the satisfaction of the highway commissioner; and such city, town, or place shall receive from the state one-half the cost of such improvement, and such further sums, in towns unable to pay that proportion, as in the opinion of the highway commissioner may be equitable. In case any city, town, or place shall neglect to improve said roads, after being so requested by the highway commissioner, such improvements shall be made under the direction of the highway commissioner at the expense of the state, and one-half of the cost thereof, less such further sums, in towns unable to pay one-half the cost thereof, as in the opinion of the highway commissioner may be equitable, shall be added to the state tax for such city or town; *provided*, that such sum so added shall not exceed one-fourth of one per cent. of the valuation of the ratable estate on which other taxes are assessed by such city or town, nor in any event exceed an average of twenty-five hundred dollars per mile of highway improved.

Designated highways to be maintained in accordance with certain specified statutes. SECT. 7. The highways designated by section 1 of this act shall be maintained in accordance with the provisions of section 20, chapter 35, Laws of 1905 (added to said chapter by chapter 155, Laws 1909), as amended by section 2, chapter 192, Laws of 1911.

SECT. 8. The highway commissioner is hereby authorized and empowered to expend, for the purpose of carrying out the provisions of this act, such part as he may see fit, subject to the approval of the governor and council, of the appropriation made at this session for the completion of the trunk lines and certain cross-lines, and also certain designated lines, and other purposes, as the aggregate amount of the state funds applied for by the towns, on May 1, 1918, and May 1, 1919, through which said highways may pass, shall be less than the sum appropriated for that year.

SECT. 9. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect May 1, 1917.

State's portion chargeable to 1917 appropriation for the completion of the trunk lines and certain cross lines, etc.

Repealing clause; takes effect May 1, 1917.

[Approved April 19, 1917.]

CHAPTER 225.

AN ACT RELATIVE TO THE RAISING OF MONEY BY TOWNS TO PROVIDE AND MAINTAIN ARMORIES AND MILITARY ORGANIZATIONS.

SECTION

1. \$500 annual appropriation authorized.

SECTION

2. Not to be construed as repealing Laws of 1917, ch. 167.  
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 4, chapter 40 of the Public Statutes, as amended by section 1, chapter 64, Laws of 1915, by striking out the word "two" following the words "National Guard or reserved militia, not exceeding" and before the words "hundred dollars yearly" and inserting in place thereof the word five, so that said section as amended shall read as follows: SECT. 4. Towns may, at any legal meeting, grant and vote such sums of money as they shall judge necessary to support schools; to build and repair school houses; to maintain the poor; to lay out, build and repair highways and sidewalks; to build and repair bridges; to light streets; to repair meeting-houses owned by the town so far as to render them useful for town purposes; to aid hospitals; to aid visiting or district nurse associations; to aid the American Red Cross; to encourage volunteer enlistments in case of war or rebellion; to procure and erect a monument or memorial building to perpetuate the memory of such soldiers belonging thereto as may have sacrificed their lives in the service of their country, including a suitable lot therefor and fence for its protection; to defray the expense of

\$500 annual appropriation authorized.

decorating the graves of soldiers and sailors who have served in the army or navy of the United States in time of war, not exceeding three hundred dollars yearly, to be given to and expended by committees appointed by the Grand Army of the Republic or by committees appointed by the Spanish War Veterans, so long as they shall continue the services of Memorial Day as originally established and at present observed by that organization, and thereafter to such persons or organization as shall continue such services in the several towns; to provide and maintain armories for military organizations stationed therein which form part of the New Hampshire National Guard or reserved militia, not exceeding five hundred dollars yearly for each organization; to provide means for the extinguishment of fires; to establish and maintain public libraries and reading rooms, or to assist in the maintenance of any library or reading room that is kept open for the free use of all the inhabitants of the town; to establish cemeteries, and parks or commons, and to improve the same; to provide and maintain receiving tombs; to set out and care for shade and ornamental trees in highways, cemeteries, commons, and other public places; to issue and distribute circulars, pamphlets, photographs, and other written or printed matter calling attention to the resources and natural advantages of said towns; to provide and maintain suitable coasting and skating places, not exceeding five hundred dollars yearly; to establish, equip and maintain suitable places for public playgrounds; to aid free public band concerts, not exceeding eight hundred dollars annually; to procure the detection and apprehension of any person committing a felony therein; to prepare and publish the history of the town; to appropriate money for the celebration of anniversaries; to maintain and record weather observations; to defray the expenses of observing Old Home Week; and for all necessary charges arising within the town; but no money shall be raised or appropriated at any special town meeting except by vote by ballot, nor unless the ballots cast at such meeting shall be equal in number to at least one-half of the number of legal voters borne on the checklist of the town at the annual or biennial election next preceeding such special meeting; and such checklist may be used at such meeting upon the request of ten legal voters of the town.

Not to be  
construed as  
repealing Laws  
of 1917, ch. 167.

SECT. 2. Nothing in this act shall be deemed to repeal or otherwise affect the provisions of an act entitled "An Act relative to the raising of money by towns in time of war" approved April 18, 1917.

Takes effect on  
passage.

SECT. 3. This act shall take effect upon its passage.

[Approved April 19, 1917.]

CHAPTER 226.

AN ACT ACCEPTING THE VOCATIONAL EDUCATION ACT OF CONGRESS OF  
FEBRUARY 23, 1917.

SECTION

- 1. Credit of state pledged to aid in carrying out act of Congress.
- 2. State treasurer made custodian of funds received from federal government.
- 3. State board for vocational education established.

SECTION

- 4. Powers of the board.
- 5. Further powers; school districts authorized to cooperate with state board.
- 6. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The state of New Hampshire hereby accepts the provisions of the act of Congress, approved February 23, 1917, entitled, "An Act providing for the promotion of vocational education; to provide for the co-operation of the states in the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure." The good faith of the state is hereby pledged to make available for the several purposes of said act funds sufficient at least to equal the sums allotted, from time to time, to this state from the appropriations made by said act and to meet all conditions necessary to entitle the state to the benefits of said act.

SECT. 2. The state treasurer is hereby designated custodian of all funds allotted to this state from the appropriations made by said act, and he shall receive and provide for the proper custody and disbursement of the same in accordance with said act.

SECT. 3. There is hereby created a state board for vocational education consisting of five members, consisting of the governor, the superintendent of public instruction and the president of New Hampshire College of Agriculture and the Mechanic Arts members *ex officio*s, and two others to be appointed by the governor, with the consent of the council, one representing the agricultural and one the industrial interests of the state. One member shall be appointed for two years and one for four years; and thereafter one member shall be appointed every two years for a term of four years to serve until his successor is appointed and qualified. In case of a vacancy an appointment may be made to fill out the unexpired term. No member of the board shall receive pay beyond actual expenses incurred. The superintendent of public instruction shall be the executive officer and secretary of the board.

SECT. 4. The said board is hereby authorized and empowered to carry into effect the provisions of the said federal act.



Further powers;  
school districts  
authorized to  
coöperate with  
state board.

SECT. 5. The said board is further authorized to arrange with institutions and with school boards of town and city districts situated within the state to furnish the necessary buildings, equipment and additional funds required in carrying out the provisions of the act of Congress providing for vocational education so far as this act applies to New Hampshire, and said school districts are hereby authorized to enter into such arrangement with said board.

Takes effect on  
passage.

SECT. 6. This act shall take effect September 1, 1917.

[Approved April 19, 1917.]

CHAPTER 227.

AN ACT TO REGULATE THE GRADING, PACKING, SHIPPING AND SALE OF  
APPLES.

SECTION

SECTION

1. Barrels and boxes, standard size of, for apples.
2. Apples classified and graded.
  - (1) N. H. standard fancy.
  - (2) N. H. standard A grade.
  - (3) N. H. standard B grade.
  - (4) Unclassified.Barrels and boxes to be marked, showing what, as to contents.
3. Further, of the marking of boxes and barrels. Commissioner of agriculture to prescribe rules, etc.
4. Misbranding, etc., prohibited.
5. Adulterated apples, defined.
6. Misbranded packages, defined.

7. Commissioner of agriculture to make rules, etc., for carrying out this act.
8. Commissioner of agriculture empowered to open containers, etc.
9. Commissioner to notify violator of this act, and then hear the case.
10. Appropriation of \$300 for next two years to carry out provisions of this act.
11. Penalty for adulteration or misbranding.
12. Responsibility for violation, rests upon whom.
13. Enforcement of the act.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Barrels and  
boxes, standard  
size of, for apples.

SECTION 1. That the standard barrel made of wood for apples shall be of the following dimensions when measured without the distention of its parts: Length of stave, 28½ inches; diameter of head, 17¼ inches; distance between heads, 26 inches; circumference of bulge outside measurements not less than 64 inches; representing as nearly as possible 7.056 cubic inches; *provided* a barrel made of any other material must not contain less than 7.056 cubic inches. The standard box for apples shall be of the following dimensions: Inside measurements, 18" x 11½" x 10½" without any distention of parts, representing as nearly as possible 2.174 cubic inches.

Apples classified  
and graded.

SECT. 2. That the standard grades or classes for apples grown in this state when packed in closed packages shall be as follows:

N. H. standard fancy, shall consist of apples of one variety, which are well-matured specimens, hand-picked, above medium color for the variety, normal shape, of good and reasonably uniform size, sound, free from dirt, disease, insect or fungous injury, bruises, and any other defects except such as are necessarily caused in the operation of packing, and shall be properly packed in clean, strong packages; or apples of one variety which are not more than three per cent. below the foregoing specifications.

N. H. standard A grade, shall consist of apples of one variety which are well-matured specimens, hand-picked, properly packed, of medium color for the variety, normal shape, sound, practically free from dirt, disease, insect or fungous injury, bruises and other defects except such as are necessarily caused in the operation of packing; or apples of one variety which are not more than five per centum below the foregoing specifications.

N. H. standard B grade, shall consist of apples of one variety, which are well matured, properly packed, practically normal shape, practically free from dirt, disease, insect or fungous injury, or any other defect that materially injures the useful quality of the apples, and which may be less than medium color for the variety; or apples of one variety which are not more than ten per centum below the foregoing specifications.

N. H. unclassified apples not conforming to the foregoing specifications of either grade, or, if conforming, are not branded in accordance therewith, shall be classed as unclassified, and so branded.

The marks indicating grade as above prescribed may be accompanied by any other designation of grade or brand if that designation or brand is not inconsistent with or marked more conspicuously than the one of the said four marks which is used on the said package. The minimum size or numerical count of the fruit in all grades, including the unclassified shall be marked upon the package and shall be determined by taking the transverse diameter of the smallest fruit in the package at right angles to the stem and blossom end. Minimum sizes shall be stated in variations of one-quarter of an inch, such as two inches, two and one-quarter inches, two and one-half inches, and two and three-quarters inches, three inches, three and one-quarter inches, and so on, in accordance with the facts. Minimum sizes or numerical counts may be designated by figures instead of words. The word minimum may be designated by using the abbreviation min.

SECT. 3. Every closed package of apples which is packed, sold, distributed, offered or exposed for sale, within or without the state by any person shall have marked in a conspicuous place on the outside thereof in plain letters a statement clearly and truly stating the quantity of the contents, the name and address of the packer, or the person by whose authority the apples were packed, and the package marked with the true name of the variety, the grade and

N. H. standard  
fancy.

N. H. standard  
A grade.

N. H. standard  
B grade.

Unclassified.  
Barrels and boxes  
to be marked,  
showing what,  
as to contents.

Further, of the  
marking of boxes  
and barrels.  
Commissioner of  
agriculture to  
prescribe rules,  
etc.

the minimum size of the apples contained therein, and the name of state where grown. If the true name of the variety shall not be known to the packer or the person by whose authority the apples are packed or branded, then such statement shall include the words variety unknown. Every package of apples which is repacked shall bear the name and address of the repacker or the name of the person by whose authority it is repacked in place of that of the original packer.

Barrels shall be marked or branded as prescribed in this act in block letters and figures of size not less than thirty-six points Gothic. The commissioner of agriculture shall prescribe rules and regulations consistent herewith relative to branding other closed packages.

Misbranding, etc., prohibited.

SECT. 4. It shall be unlawful for any person within the state to pack, sell, distribute, offer or expose for sale or distribution apples which are adulterated or misbranded within the meaning of this act.

Adulterated apples, defined.

SECT. 5. For the purpose of this act apples packed in a closed package shall be deemed to be adulterated if their measure, quality or grade does not conform in each particular to the claims made upon the affixed guaranty.

Misbranded packages, defined.

SECT. 6. For the purpose of this act apples packed in a closed package shall be deemed to be misbranded:

First. If the package shall fail to bear all the statements required by sections one, two and three.

Second. If the package shall be falsely branded or shall bear any statement, design, or device regarding such apples which is false, or misleading, or if the package bears any statement, design or device indicating that the apples contained therein are N. H. standard grade and said apples when packed or repacked do not conform to the requirements prescribed by this act for such grade.

Commissioner of agriculture to make rules, etc., for carrying out this act.

SECT. 7. The commissioner of agriculture shall make uniform rules and regulations for carrying out the provisions of this act.

Commissioner of agriculture empowered to open containers, etc.

SECT. 8. The commissioner of agriculture, in person, or by deputy, shall have free access, ingress and egress at all reasonable hours to any place or any building wherein apples are packed, stored, sold, offered or exposed for sale. He shall also have power, in person or by deputy, to open any box, barrel, or other container, and may, upon tendering the market price, take samples therefrom.

Commissioner to notify violator of this act, and then hear the case.

SECT. 9. When the said commissioner of agriculture becomes cognizant of the violation of any of the provisions of this act he shall cause notice of such fact, together with a copy of the findings, to be given to the person concerned. The person so notified shall be given an opportunity to be heard under such rules and regulations as may be prescribed by said commissioner of agriculture. Notices shall specify the date, hour and place of the hearing, said hearing to be held in the county where said inspection is made.



SECT. 10. There shall be appropriated from the state treasury the sum of three hundred dollars for each of the years ending August 31, 1918 and 1919 for the purpose of carrying out the provisions of this act. So much of said appropriation shall be paid by the state treasurer to the commissioner of agriculture as may be shown by his bills and vouchers of expenditures in performing the duties required by this act.

Appropriation of \$300 for next two years to carry out provisions of this act.

SECT. 11. Any person who adulterates or misbrands apples within the meaning of this act, or any person who packs, sells, distributes, offers or exposes for sale or distribution, apples in violation of any of the provisions of this act, shall be punished by a fine not exceeding fifty dollars for the first offense, and by a fine not exceeding one hundred dollars for each subsequent offense.

Penalty for adulteration or misbranding.

SECT. 12. No person shall be prosecuted under the provisions of this act when he can establish satisfactory evidence to the effect that he acted solely as a distributor, and to the effect that he was not a party to the packing, grading or branding of such articles, or when he can establish a guaranty, signed by the person from whom he received such articles, to the effect that the same is not adulterated or misbranded within the meaning of this act. Said guaranty, or said satisfactory evidence, to afford protection, shall contain the name and address of the party, or parties, making the sale or shipment of such articles to said distributor, and in such cases, said party, or parties shall be amenable to the prosecution, fines and other penalties, which would otherwise attach to the dealer or distributor under the provisions of this act.

Responsibility for violation, rests upon whom.

SECT. 13. The word person as used in this act shall be construed to be both plural and singular, as the case demands, and shall include corporations, companies, societies and associations. When construing and enforcing the provisions of this act, the act, omission or failure of any officer, agent, or other person acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society or association as well as that of the person. For the purposes of this act apples packed in closed packages shall be deemed to be adulterated if their quality or grade when packed or repacked does not conform to the marks upon the package. The words closed package shall mean a box or barrel or other package, the contents of which cannot be seen or inspected when such package is closed.

Enforcement of the act.

SECT. 14. The commissioner of agriculture shall diligently enforce all of the provisions of this act, and in this connection, he shall be entitled to have and receive the advice, counsel and assistance of the attorney-general and of the attorney for the state in the several counties.



The said commissioner of agriculture in his discretion may recover the penalties for the violation of the provisions of this act in an action on the case in his own name, but in behalf and for the benefit of the state, the venue to be as in other civil actions, and the party prevailing in any such action shall recover full costs; or he may prosecute violators by complaint or indictment in the name of the state, and such prosecution shall be commenced in the county in which the offense was committed. All fines received under this act by county treasurers shall be paid by them to the state treasurer.

Trial justices and municipal and police courts are hereby invested with original jurisdiction concurrent with the supreme judicial and superior courts, to hear, determine, enter and by appropriate process enforce judgment in actions commenced for the recovery of the penalties aforesaid, and to try, and upon conviction to punish for offenses under the provisions of this act.

[Approved April 19, 1917.]

CHAPTER 228.

AN ACT TO LICENSE AND REGULATE THE BUSINESS OF MAKING LOANS IN SUMS OF THREE HUNDRED DOLLARS OR LESS, AT A GREATER RATE OF INTEREST THAN SIX PER CENT. PER ANNUM, PRESCRIBING THE RATE OF INTEREST AND CHARGE THEREFOR, AND PENALTIES FOR THE VIOLATION THEREOF.

SECTION

- 1. Lenders of money, when to be licensed by the bank commissioners. Procedure. License non-assignable. Bonds. Revocation of license. Certain regulations. Records of licensee open to inspection of commissioners. False advertising prohibited.
- 2. Regulations applicable to the business.

SECTION

- 3. Lender to furnish borrower with certain statements. Other restrictions.
- 4. Interest limited to six per cent., except when. Penalty.
- 5. Act not to apply to banks, trust companies, or building and loan associations.
- 6. Repealing clause; takes effect July 1, 1917.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Lenders of money, when to be licensed by the bank commissioners. Procedure. License non-assignable. Bonds. Revocation

SECTION 1. No person, co-partnership, or corporation shall make any loan of money, credit, goods, or things of value in the amount or to the value of three hundred dollars, or less, whether secured or unsecured, and charge, contract for or receive a greater rate of interest than six per cent. per annum therefor,

without first obtaining a license from the board of bank commissioners. Application for such license shall be in writing and shall contain the full name and address, both of the residence and place of business, of the applicant and if the applicant is a co-partnership, or corporation, of every member, or officer thereof; also the city or town, with street and number, if any, where the business is to be conducted. Every such applicant, at the time of making such application, shall pay to the board of bank commissioners the sum of fifty dollars to be paid over to the state treasurer for the use of the state as an annual license fee and in full payment of all expenses of examinations under, and administration of, this act. The applicant shall also, at the same time, file with the board of bank commissioners a surety company bond in which the applicant shall be the obligor, in the sum of one thousand dollars to be approved by said board which bond shall run to the people of the state of New Hampshire for the use of the state and of any person, or persons who may have a cause of action against the obligor of said bond under the provisions of this act, and shall be conditioned that said obligor will conform to and abide by each and every provision of this act and will pay to the state and to any such person or persons any and all moneys that may become due or owing to the state and to such person, or persons, from said obligor, under and by virtue of the provisions of this act.

Certain regulations.  
Records of licensee open to inspection of commissioners.  
False advertising prohibited.

Upon the filing of such application and the approval of said bond and the payment of said fee, the board of bank commissioners shall issue a license to the applicant to make loans in accordance with the provisions of this act for a period which shall expire the day of April next following the date of its issuance; *provided*, that if the license is issued for a period of less than six months the license fee shall be twenty-five dollars. Such license shall not be assigned.

If in the opinion of the board of bank commissioners the bond shall at any time appear to be insecure or exhausted, or otherwise doubtful, an additional bond in the sum of not more than one thousand dollars satisfactory to the board of bank commissioners shall be filed and upon failure of the obligor to file such additional bond the license shall be revoked by said board.

The board of bank commissioners may, in their discretion, upon notice to the licensee and opportunity to be heard, revoke such license if satisfied that the licensee has violated any provision of this act; and in case the licensee shall be convicted a second time of a violation of section 2 of this act said board shall revoke such license; *provided*, that the second offense shall have occurred after a prior conviction. The issuance of another license after a revocation shall be at the discretion of said board.

The license shall be kept conspicuously posted in the place of business of the licensee.

No person, co-partnership, or corporation so licensed shall make any loan or transact any business provided for by this act, under any other name, or at any other place of business than that named in the license. Not more than one office, or place of business shall be maintained under the same license but the board of bank commissioners may issue more than one license to the same person or corporation upon the payment of an additional license fee and the filing of an additional bond for each license.

In case of the removal of a licensee, he shall at once give written notice thereof to the board of bank commissioners who shall attach to the license their consent in writing to the removal.

The board of bank commissioners for the purpose of discovering violations of this act may either personally, or by any person designated by them, at any time and as often as they may desire, investigate the loans and business of every licensee and of every person, co-partnership and corporation by whom or which any such loan shall be made, whether such person, co-partnership, or corporation shall act, or claim to act as principal, agent, or broker, or under, or without the authority of this act; and for that purpose they shall have free access to the books, papers, records and vaults of all such persons, co-partnerships and corporations; they shall also have authority to examine, under oath, all persons whomsoever, whose testimony they may require, relative to such loans, or business.

The licensee shall keep such books and records as in the opinion of the board of bank commissioners will enable said board to determine whether the provisions of this act are being observed. Every such licensee shall preserve the records of final entry used in such business, including cards used in the card system, if any, for a period of at least one year after the making of any loan recorded therein.

No licensee or other person or corporation shall print, publish, or distribute or cause to be printed, published or distributed in any manner whatsoever, any written or printed statement with regard to the rates, terms or conditions for the lending of money, credit, goods or things of value, in amounts of three hundred dollars or less, which is false or calculated to deceive.

SECT. 2. Every person, co-partnership and corporation licensed hereunder may loan any sum of money, goods or things of value not exceeding in amount or value the sum of three hundred dollars and may charge, contract for and receive thereon interest at a rate not to exceed three per cent. per month.

Interest shall not be payable in advance or compounded and shall be computed on unpaid balances. In addition to the interest herein provided for, charges may be made as follows: On loans not exceeding fifty dollars in amount, an inspection fee of one dollar may be collected at the time the loan is made, and on loans exceed-

ing fifty dollars in amount, but not exceeding three hundred dollars, an inspection fee of two dollars may be collected at the time the loan is made, *provided, however*, that such inspection fees shall not be collected from the borrower for any new or additional loan, renewal or extension of the loan, unless at the time of making such new or additional loan, renewal or extension, a period of at least four months shall have elapsed from the time of making the previous charge for investigation. No charge or inspection fee shall be imposed unless the loan is actually made and no such fee shall be charged on any loan less than fifteen dollars. No charge, or amount whatsoever for any examination, service, brokerage, commission or other thing, or otherwise, shall be directly or indirectly charged, contracted for or received, except as hereinbefore provided, and except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer, for filing, or recording in any public office, any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter.

If interest, or charges in excess of those permitted by this act shall be charged, contracted for, or received, the contract of loan shall be void and the licensee shall have no right to collect, or receive any principal, interest or charges whatsoever.

No person shall owe any licensee at any time more than three hundred dollars for principal.

SECT. 3. Every licensee shall:

Deliver to the borrower, at the time a loan is made, a statement in the English language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the licensee and the rate of interest charged. Upon such statement there shall be printed in English a copy of section 2 of this act;

Lender to furnish  
borrower with  
certain state-  
ments. Other  
restrictions.

Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made;

Upon repayment of the loan in full, mark indelibly every paper signed by the borrower with the word paid or cancelled, and discharge any mortgage, restore any pledge, return any note and cancel any assignment given by the borrower as security.

No licensee shall take any confession of judgment or any power of attorney. Nor shall he take any note, promise to pay, or security that does not state the actual amount of the loan, the time for which it is made and the rate of interest charged, nor any instrument in which blanks are left to be filled after execution.

SECT. 4. No person, co-partnership or corporation except as authorized by this act shall, directly or indirectly, charge, contract for, or receive any interest or consideration greater than six per

Interest limited  
to six per cent.,  
except when.  
Penalty.



cent. per annum upon the loan, use or forbearance of money, goods or things of value or upon the loan, use or sale of credit, of the amount or value of three hundred dollars or less.

The foregoing prohibition shall apply to any person who, as security for any such loan, use of [or] forbearance of money, goods or things of value or for any such loan, use or sale of credit, makes a pretended purchase of property from any person and permits the owner or pledgor to retain the possession thereof, or who, by any device or pretense of charging for his services, or otherwise, seeks to obtain a greater compensation than is authorized by this act.

Any person, and the several officers and employees of any corporation, who shall violate the foregoing prohibitions shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than one hundred dollars or by imprisonment of not more than six months, or by both such fine and imprisonment in the discretion of the court.

Any licensee and any officer or employee of a licensee who shall violate any of the provisions of section 2 of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than one hundred dollars or by imprisonment of not more than six months or by both such fine and imprisonment in the discretion of the court.

No loan for which a greater rate of interest or charge than is allowed by this act has been contracted for or received, wherever made, shall be enforced in this state and any person in any wise participating therein in this state shall be subject to the provisions of this act.

Act not to apply  
to banks, trust  
companies, or  
building and  
loan associations.

SECT. 5. This act shall not apply to any person, co-partnership or corporation doing business under any law of this state or of the United States relating to banks, trust companies, or building and loan associations.

Repealing clause;  
takes effect July  
1, 1917.

SECT. 6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect July 1, 1917.

[Approved April 19, 1917.]

## CHAPTER 229.

AN ACT IN AMENDMENT OF CHAPTER 133 OF THE LAWS OF 1911, ENTITLED "AN ACT REPEALING CHAPTER 86 OF THE LAWS OF 1905 AND CHAPTER 154 OF THE LAWS OF 1909, AND ENACTING A MOTOR VEHICLE LAW," AS AMENDED BY CHAPTER 81 AND CHAPTER 171 OF THE LAWS OF 1913 AND CHAPTER 129 OF THE LAWS OF 1915.

## SECTION

1. Meaning of certain terms.
2. Registration of motor vehicles, requested. Horse-power. Transfer.
3. Motor vehicles of non-residents, free period; registration of.
4. Registration by manufacturer or dealer.
5. Motor cycles to have number plate displayed.

## SECTION

6. Motor vehicles, use of upon highways, regulated.
7. Fees, for registration; plates; operator's license, etc.
8. Jurisdiction of commissioner of motor vehicles.
9. Parts of this act take effect on passage; remainder takes effect Jan. 1, 1918.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 1, chapter 133, Laws of 1911, as amended by section 1, chapter 81, Laws of 1913, and by chapter 129, Laws of 1915, is hereby amended by striking out, in the fifth paragraph of said section, the words, " 'Dealer' shall include every person who actually is engaged in the business of buying, selling or exchanging motor vehicles, on commission or otherwise," and inserting in place thereof the words: " 'Dealer' shall include every person who is engaged principally in the business of buying, selling or exchanging motor vehicles, on commission or otherwise, so that said section as amended shall read: SECTION 1. Terms used in this act shall be construed as follows, unless a different meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the legislature:

Meaning of  
certain terms.

"Commissioner" shall mean the commissioner of motor vehicles for the state of New Hampshire.

"Automobile" shall include all motor vehicles except motor cycles.

"Chauffeur" shall mean any person who operates a motor vehicle other than his own, and who directly or indirectly receives compensation therefor.

"Dealer" shall include every person who is engaged principally in the business of buying, selling or exchanging motor vehicles, on commission or otherwise.

"Garage" shall mean every place where five or more motor vehicles are stored or housed at any one time, except only such places in which motor vehicles are kept by the owners thereof without payment for storage.

“Intersecting way” shall mean any way which joins another at an angle, whether or not it crosses the other.

“Motor cycle” shall apply only to motor vehicles having but two wheels in contact with the ground and with pedals and a saddle on which the driver sits astride, but a motor cycle may carry a one-wheel attachment for the conveyance of a passenger.

“Motor vehicles” shall include automobiles, motor cycles, and all other vehicles used upon highways, propelled by power other than muscular power, except railroad and railway cars and motor vehicles running only upon rails or tracks.

“Non-resident” shall apply to residents of states, districts, or countries who have no regular place of abode or business in this state for a period of more than three months continuously in the calendar year.

“Number plate” shall mean the sign or marker furnished by the commissioner, on which is displayed the register number or mark of a motor vehicle assigned to such motor vehicle by the commissioner.

“Operator” shall mean any person who operates a motor vehicle, other than a chauffeur.

“Person,” wherever used in connection with the registration of a motor vehicle, shall include all corporations, associations, partnerships, companies, firms or other aggregations of individuals who own or control such vehicles, in any capacity, or for any purpose.

“Police officer” or “officer” shall include any constable or other officer authorized to make arrest or serve process.

“Register number” shall apply to the number or mark assigned by the commissioner to a motor vehicle.

“Thickly settled or business part of a city or town” shall mean the territory of a city or town contiguous to any way which is built up with structures devoted to business or the territory of a city or town contiguous to any way where the dwelling-houses are situated at such distances as will average less than one hundred feet between such dwelling-houses for a distance of a quarter of a mile or over.

“Way” shall mean any public highway, street, avenue, road, alley, park, parkway or any private way laid out under authority of statute.

Registration of  
motor vehicles,  
requested.  
Horse-power.  
Transfer.

SECT. 2. Section 2, chapter 133, Laws of 1911, as amended by section 2, chapter 129, Laws of 1915, is hereby amended by striking out the whole of said section and inserting in place thereof the following: SECT. 2. Application for the registration of motor vehicles may be made by the owner thereof, by mail or otherwise, to the commissioner, upon blanks prepared under his authority. The application shall contain in addition to such other particulars as may be required by the commissioner, a statement of the name, place of residence, and street address of the applicant, with a brief description of the motor vehicle, including the name of the maker,

the number, if any, affixed by the maker the character of the motor power, and the amount of such motor power stated in figures of horse-power. The proper registration fee, as provided in section 26, shall be deposited before said application is granted. The commissioner or his duly authorized agent shall then register in a book, or upon suitable index cards to be kept for the purpose, the motor vehicle described in the application, giving to said vehicle a distinguishing number or other mark to be known as the register number for said vehicle, and shall thereupon issue to the applicant a certificate of registration. Said certificate shall contain the name, place of residence and address of the applicant, and the register number or mark, and shall be in such form and contain such further information as the commissioner shall determine. An applicant for the registration of a motor vehicle who does not file his application therefor until after the thirtieth day of September in any year shall be entitled to a reduction in the fee for such registration as provided in section 26. Upon the transfer of ownership of any motor vehicle, its registration shall expire, and the person in whose name such vehicle is registered shall return forthwith the certificate of registration to the commissioner with a written notice containing the date of such transfer of ownership and the name, place of residence, and address of the new owner, or in case of total loss by fire, theft or accident, a written statement under oath setting forth all the circumstances attending such total loss by fire, theft or accident. A person who transfers the ownership of a registered motor vehicle owned by him to another, or which is totally lost by fire, theft or accident, upon the filing of a new application, and upon the payment of the fee as provided in section 26, may have registered in his name another motor vehicle for the remainder of the calendar year, *provided* the horse-power of said motor vehicle is the same or less than that of the motor vehicle first registered by him; but, if the horse-power of the motor vehicle is greater than that of the motor vehicle first registered by him, the applicant shall pay, in addition to the said fee, the difference between the fee paid by him for the said vehicle first registered and the fee for the registration of a motor vehicle of the higher horse-power, as provided in section 26. The commissioner, at his discretion, may assign to the motor vehicle of any person who surrenders his registration certificate, as herein provided, and who desires to register another motor vehicle, the register number of the motor vehicle described in the surrendered certificate, or in the statement as hereinbefore provided for in the case of loss by fire, theft or accident. Said commissioner shall furnish at his office, without charge, to every person whose automobile is registered as aforesaid, two number plates of suitable design, each number plate to have displayed upon it the register number assigned to such vehicle, the letters N. H., and figures showing the year of the issue. The com-



missioner shall furnish in like manner to every person whose motor cycle is registered as aforesaid a plate, the form and size of which shall be determined by the commissioner, together with the year of the issue thereof and with the register number of the motor cycle stamped or otherwise suitably inscribed thereon. The horse-power of every motor vehicle sought to be registered shall be determined by the commissioner, and such determination shall be final. In determining such horse-power the commissioner may employ the rating established by the Association of Licensed Automobile Manufacturers, so far as the same may be applicable, or any other test or formula by which such horse-power may be mathematically ascertained; and if no such test or formula can be had, the commissioner may use the highest rated power as given by the manufacturer, or otherwise cause the horse-power to be tested. The registration of every motor vehicle shall expire at midnight upon the thirty-first day of December of each year, unless otherwise provided.

Motor vehicles of  
non-residents,  
free period;  
registration of.

SECT. 3. Amend section 3, chapter 133, Laws of 1911, as amended by section 2, chapter 81, Laws of 1913, and section 3, chapter 129, Laws of 1915, by striking out the whole of said section and inserting in place thereof the following: SECT. 3. (a) A motor vehicle owned by a non-resident of this state, who has complied with the laws of his state, district or country, relating to registration and licensing of motor vehicles, may be operated upon the ways of this state, for a period not exceeding twenty days in any one calendar year, without registration, except as otherwise provided in section 9. In estimating the number of days of use by a non-resident under the foregoing privilege, any fractional part of a day's use within this state shall be held to be a day. Every such vehicle so operated shall have displayed upon it the distinguishing number or mark of the state, district or country in which the owner thereof resides, and none other, until the vehicle is registered in accordance with the provisions of this act. A motor vehicle so owned may be operated also in this state during the months of July, August and September in any year if application for the registration thereof is made in accordance with the provisions of section 2 and the proper fee provided for in section 26 is paid, and the said vehicle is duly registered by the commissioner or his authorized agent. The commissioner shall furnish at his office, without charge, to every person whose automobile is registered as aforesaid, two number plates of suitable design, and triangular in shape, each number plate to have displayed upon it the register number assigned to such vehicle, the letters N. H., and figures showing the year of the issue. The commissioner shall furnish in like manner to every person, whose motor cycle is registered as aforesaid, a plate, the form and size of which shall be determined by the commissioner, which shall have the year of the issue thereof

and the registered number of the motor cycle stamped or otherwise suitably inscribed thereon. Every such registration shall expire at midnight upon the thirtieth day of September in each year.

(b) A motor vehicle owned by a non-resident of this state who has complied with the laws of his state relating to registration and licensing of motor vehicles, who has a *bona fide* actual residence in a state granting like privileges to residents of this state, which residence is located within fifteen miles by highway of the border line of this state, may be operated upon any ways of this state distant not more than fifteen miles from the border line of his state, if application for the registration thereof is made in accordance with the provisions of section 2 and the proper fee provided for in section 26 is paid and the said motor vehicle is duly registered by the commissioner or his authorized agent. The commissioner shall furnish at his office, without charge, to every person whose automobile is registered as aforesaid, a metal tag of suitable design, and oval in shape, to have displayed upon it the register number assigned to such motor vehicle, the letters N. H., and figures showing the year of the issue, but no such tag shall be furnished by the commissioner for motor cycles. Such tag shall at all times be conspicuously displayed on the front of such motor vehicle. Every application filed under the provisions of (a) and (b) of this section shall be sworn to by the applicant before a justice of the peace or a notary public.

SECT. 4. Amend section 4, chapter 133, Laws of 1911, as amended by section 4, chapter 129, Laws of 1915, by striking out the whole thereof and inserting in place thereof the following:

SECT. 4. Every manufacturer or dealer in motor vehicles may make application upon a blank provided by the commissioner, for a general distinguishing number or mark, instead of registering each motor vehicle owned or controlled by him, and with such application shall be deposited the registration fee as herein provided, and the commissioner may grant such application if satisfied of the facts stated therein, and issue to the applicant a certificate of registration, containing the name, business address of the applicant, and the distinguishing number or mark assigned to him, and made in such form and containing such further information as the commissioner may determine; and all motor vehicles owned or controlled by such manufacturer or dealer shall be regarded as registered under such general distinguishing number or mark until sold.

Registration by  
manufacturer or  
dealer.

The commissioner shall furnish, at his office, without charge, to every manufacturer or dealer in motor vehicles whose vehicles are registered under the provisions of this section, six pairs of number plates of suitable design, the plates to have displayed upon them the register number which is assigned to the motor vehicles of such manufacturer or dealer, with a different letter or letters or mark on each pair of number plates. The commissioner

shall furnish at the price stated in section 26, to every person whose vehicles are registered as aforesaid, as many plates for motor cycles as such person shall apply for. Said plates, the form and size of which shall be determined by the commissioner, shall have stamped or suitably inscribed thereon the year of the issue thereof, and the register number or mark of the manufacturer or dealer and each plate so furnished shall also bear a different letter or letters. A manufacturer of or dealer in motor vehicles whose vehicles are registered under the provisions of this section may loan for a period of ten days to a person purchasing a motor vehicle from such manufacturer or dealer a pair of number plates. Such manufacturer or dealer shall thereupon execute in triplicate upon blanks to be furnished by the commissioner of motor vehicles for that purpose a certificate setting forth the name of the purchaser, the make and number of the car, the date of the purchase, and the date when the period of ten days expires. He shall immediately file one copy of such certificate with the commissioner of motor vehicles, shall furnish a copy to the purchaser which shall be kept on his person or in the vehicle in some easily accessible place, and shall retain one copy himself.

Motor cycles to  
have number  
plate displayed.

SECT. 5. Amend section 6, chapter 133, Laws of 1911, as amended by section 5, chapter 129, Laws of 1915, by striking out the word "seal" wherever it appears in said section and inserting in place thereof the word plate, so that said section shall read as follows: SECT. 6. Every motor cycle operated in or on any way shall have displayed conspicuously the plate bearing the register number furnished in accordance with the provisions of sections 2, 3 (a) and 4 of this act for such vehicle. Said plate shall be fastened securely to some part of the vehicle or to some contrivance firmly attached thereto, in the rear of the saddle.

Motor vehicles,  
use of upon high-  
ways, regulated.

SECT. 6. Amend section 7, chapter 133, Laws of 1911, as amended by section 3, chapter 81, Laws of 1913, and section 6, chapter 129, Laws of 1915, by striking out the entire section and inserting a new section to read as follows: SECT. 7. Every motor vehicle, operated or driven upon the ways of this state, shall be provided with adequate brakes in good working order and sufficient to control such vehicle at all times when the said vehicle is in use, a muffler, a suitable and adequate bell, horn or other device for signaling, and suitable lamps. Every automobile operated during the period from one-half hour after sunset to one-half hour before sunrise shall display at least two lighted lamps on the front and one on the rear of such vehicle, which shall also display a red light visible from the rear. The rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle in such manner as to render the numerals thereon visible for at least fifty feet in the direction from which the motor vehicle is proceeding. The light from the front lamps shall be sufficient to be visible at



least two hundred feet in the direction in which the motor vehicle is proceeding, and all motor vehicles equipped with electric headlights shall also be equipped with some device, to dim the glare or to scatter the rays of light from the same, which shall have been approved by the commissioner of motor vehicles, and it shall be the duty of any person having control or charge of a motor vehicle which is equipped with electric headlights to dim or extinguish such headlights when approaching an electric street railway car or another automobile. The commissioner of motor vehicles shall examine the various devices for dimming or scattering the rays of light from electric headlights on motor vehicles, and may sanction for use such of said devices as meet his approval. The commissioner of motor vehicles shall annually cause to be printed and distributed to owners of registered motor vehicles a statement of the devices which have been so approved.

SECT. 7. Amend section 26, chapter 133, Laws of 1911, as amended by section 6, chapter 81, Laws of 1913, chapter 171, Laws of 1913, and section 8, chapter 129, Laws of 1915, by striking out the whole of said section and inserting in place thereof the following: SECT. 26. The commissioner or his authorized agents shall collect fees as follows:

For the registration of every motor cycle, \$2. For the substitution of the registration of a motor cycle for that of a motor cycle previously registered in accordance with the provisions of section 2 of this act, \$1.

For the registration of every automobile not exceeding fifteen horse-power, \$10.

For the registration of every automobile exceeding fifteen horse-power and not exceeding thirty horse-power, \$15.

For the registration of every automobile exceeding thirty horse-power and not exceeding forty horse-power, \$20.

For the registration of every automobile exceeding forty horse-power and not exceeding fifty horse-power, \$25.

For the registration of every automobile exceeding fifty horse-power and not exceeding sixty horse-power, \$30.

For the registration of every automobile exceeding sixty horse-power, \$40.

For the substitution of the registration of an automobile for that of an automobile previously registered in accordance with the provisions of section 2 of this act, \$2.

For the registration of a tractor or log hauler, \$10.

For the registration of every motor vehicle owned by a non-resident who applies for registration under the provisions of section 3 (a) of this act, and for the registration of every automobile during the period beginning with the first day of October and ending on the thirty-first day of December, in any year, in accordance with the provisions of section 2 of this act, one-half of the foregoing fees.



For the registration of every motor vehicle owned by a non-resident who applies for registration under the provisions of section 3 (b) of this act, \$2.

For the registration of motor vehicles owned by or under the control of a manufacturer of or dealer in motor vehicles, \$50.

For the registration of all the motor cycles owned by or under the control of a manufacturer of or dealer in motor cycles who does not manufacture or deal in automobiles, including three plates to be furnished with the certificate of registration, \$5.

For every additional plate furnished to replace such plates as have been lost or mutilated, or which are illegible, and for every plate furnished to a manufacturer of or dealer in automobiles for use on motor cycles owned by or under the control of such persons, fifty cents.

For every additional number plate furnished to replace such as have been lost or mutilated or which are illegible, \$1, and for every additional pair of number plates furnished to a manufacturer of or dealer in motor vehicles whose business requires more than six pairs of such plates, \$5.

For each operator's original license and examination, \$3; for each chauffeur's original license, examination and badge, \$5; for all subsequent operators' and chauffeurs' licenses, \$1.

For every additional copy of a certificate of registration or license, fifty cents.

For the operation of all cars bearing the neutral zone registration, the operator's or chauffeur's license issued by the state of residence shall be deemed sufficient. The fee for a neutral zone registration shall be \$2.

For the operation of all motor vehicles registered for the months of July, August and September as non-resident motor vehicles, special non-resident certificates shall be issued, good only during the period of three months as above stated, and no buttons shall be issued to chauffeurs. For original special non-resident certificate and examination the fee shall be \$2, and for all subsequent certificates and all certificates issued to drivers who have previously been licensed in the state of their residence, if license is required in such state, \$1. *Provided, however,* that said commissioner or his authorized agents may furnish without charge copies of certificates of registration and licenses to operate and copies of other documents relating thereto to officers of the state, or of any court thereof, or of a city or town therein, and said commissioner may issue certificates of registration for motor vehicles and licenses to operate the same to any member of the foreign diplomatic corps without payment of the fees therefor. Motor vehicles owned and operated by the state, or by any county, city or town, shall be exempt from registration fees, but shall be registered as any other motor vehicles are registered. Nothing in this act shall be so con-

strued as to prevent a dealer, as herein defined, using his cars registered under his dealer's registration for renting or pleasure purposes.

SECT. 8. Further amend said chapter 133, Laws of 1911, and all amendments thereto, by striking out the words "secretary of state" wherever the same appear in said chapter, or amendments, and inserting in place thereof the words commissioner of motor vehicles, and by striking out the word "secretary" wherever the same appears in said chapter, or amendments, and inserting in place thereof the word commissioner.

Jurisdiction of  
commissioner of  
motor vehicles.

SECT. 9. Section 8 of this act, that part of section 3 which re-  
lates to the number of days, in any one calendar year, that a motor  
vehicle, owned by a non-resident, may be operated within the state  
without registration in this state, and that part of section 2 which  
relates to a new registration, for the remainder of the calendar  
year, upon the transfer of ownership or the loss by fire, theft or  
accident of a registered motor vehicle, shall take effect upon its  
passage. Except as above provided in this section, all parts and  
provisions of this act shall take effect on January 1, 1918, and the  
sections amended shall remain in force as heretofore until that  
date.

Parts of this act  
take effect on  
passage;  
remainder takes  
effect Jan. 1,  
1918.

[Approved April 19, 1917.]

CHAPTER 230.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF  
NEW HAMPSHIRE FOR THE YEAR ENDING AUGUST 31, 1918.

SECTION

- 1. Appropriations for sundry purposes.
- 2. Appropriation for departments, open to what use.

SECTION

- 3. Takes effect August 31, 1917.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. The sums hereinafter mentioned are appropriated,  
to be paid out of the treasury of the state, for the purposes specified,  
for the fiscal year ending on the thirty-first day of August, nine-  
teen hundred and eighteen, to wit:

Appropriations  
for sundry  
purposes.

For the executive department, \$36,300 as follows: For salary of  
governor, \$3,000; for salary of governor's secretary, \$800; for  
council, per diem and expenses, \$5,000; for governor's contingent  
fund, \$1,500; for transportation, \$600; for incidentals, \$150; for

printing blanks, \$250; for emergency fund, to protect the interests of the state, \$25,000.

For the secretary of state department, \$21,900 as follows: For salary of secretary, \$3,500; for salary of deputy secretary, \$1,800; for clerical expense, \$1,500; for incidentals, \$500; for printing blanks, \$250; for printing report, \$500; for express, \$400; for postage, \$300; for indexing province records, \$1,000; for Australian ballot, \$100; for direct primary, \$2,000; for purchase of New Hampshire Law Reports, \$1,050; for copying ancient records, \$6,000; for copying provincial records, \$3,000.

For the treasury department, \$10,400 as follows: For salary of treasurer, \$3,000; for salary of deputy, \$1,800; for clerical expenses, \$3,600; for compiling statistics, \$200; for incidentals, \$900; for printing blanks, \$400; for printing report, \$500.

For the insurance department, \$8,500 as follows: For salary of commissioner, \$2,000; for clerical expenses, \$3,000; for incidentals, \$1,000; for printing blanks, and report, \$2,500.

For the bank commission, \$12,050 as follows: For salaries of commissioners, \$8,000; for clerical expenses, \$1,050; for expenses of commissioners, \$1,200; for incidentals, \$600; for printing report, and blanks, \$1,200.

For the public service commission, \$31,700 as follows: For salaries of commissioners, \$10,700; for experts, clerks, and assistants, \$15,000; for expenses of commissioners, \$1,000; for incidentals and printing, \$5,000.

For the tax commission, \$14,000 as follows: For salaries of commissioners, \$8,000; for clerical expense, \$1,000; for expenses of commissioners, \$1,000; for incidentals and printing, \$3,000; for printing report, \$500; for expense of gathering county and town financial statistics, \$500.

For the public printing, \$3,100 as follows: For incidentals, and printing blanks, \$100; for purchase of paper stock, \$3,000.

For the department of indexing, for salaries, \$1,200.

For the state house department, \$19,200 as follows: For salaries and pay roll, \$8,200; for fuel, \$3,000; for light and power, \$3,000; for water, \$400; for miscellaneous repairs, furniture and incidentals, \$3,000; for telephone and operator, \$1,600.

For the legislature, for expenses, \$500.

For the supreme court, \$29,730 as follows: For salaries of justices, \$25,000; for salary of clerk, \$500; for salary of messenger, \$200; for salary of state reporter, \$1,800; for justices' expenses, \$800; for transportation, \$200; for examination of students, \$450; for incidentals, \$700; for transportation of state reporter, \$80.

For the superior court, \$28,900 as follows: For salaries of justices, \$25,000; for justices' expenses, \$3,000; for incidentals, \$300; for transportation, \$600.

For the attorney-general's department, \$13,700 as follows: For salary of attorney-general, \$3,000; for salary of assistant attorney-general, \$3,000; for clerical expenses, \$3,000; for incidentals, \$1,000; for copies of wills and records, \$1,300; for supplies, \$500; for printing, \$200; for traveling expenses, \$1,200; for enforcement of liquor laws, \$500.

For the probate court department, \$9,900, for salaries of judges, as follows: For Rockingham county, \$1,200; for Strafford county, \$800; for Belknap county, \$600; for Carroll county, \$700; for Merrimack county, \$1,200; for Hillsborough county, \$2,000; for Cheshire county, \$900; for Sullivan county, \$600; for Grafton county, \$1,000; for Coös county, \$900.

For salaries of registers of probate and deputies, \$11,400 as follows: For Rockingham county, register, \$1,200; for Rockingham county, deputy, \$600; for Strafford county, register, \$1,000; for Belknap county, register, \$600; for Carroll county, register, \$600; for Merrimack county, register, \$1,200; for Merrimack county, deputy, \$800; for Hillsborough county, register, \$1,500; for Hillsborough county, deputy, \$800; for Cheshire county, register, \$600; for Sullivan county, register, \$600; for Grafton county, register, \$1,000; for Coös county, register, \$900.

For public instruction department, \$21,200 as follows: For salary of superintendent, \$4,000; for salaries of deputies, \$6,500; for traveling expenses of deputies, \$1,400; for clerical expenses, \$2,000; for truant officer, attendance, \$1,000; for incidentals, \$1,500; for printing blanks, \$1,000; for child labor act, salaries, \$2,400; for child labor act, travel and printing, \$1,400.

For schools, for support and encouragement, \$120,000.

For mothers' aid act, \$20,000.

For Plymouth normal school, \$32,000 as follows: For salaries, maintenance and operation, printing report, incidentals, and trustees' expenses, \$32,000.

For Keene normal school, \$32,000 as follows: For salaries, maintenance and operation, printing report, incidentals, and trustees' expenses, \$32,000.

For New Hampshire College of Agriculture and Mechanic Arts, \$52,000 as follows: For free tuition to New Hampshire students, \$3,000; for poultry breeding, \$4,000; for maintenance, \$45,000.

For the deaf, dumb and blind, \$20,150 as follows: For support and education, \$20,000; for Granite State Deaf Mute Mission, \$150.

For the state library, \$18,030 as follows: For salaries, \$6,030; for maintenance and operation, \$5,600; for books, periodicals, and binding, \$6,000; for expenses of trustees, \$150; for bulletin, public libraries, \$250.

For the state board of charities and correction, \$28,600 as follows: For salary of secretary, \$2,000; for clerical expenses, \$1,400; for incidentals, \$400; for traveling expenses, \$700; for



printing blanks, \$100; for tubercular patients, \$20,000; for child welfare work, \$4,000.

For the register of the blind, \$8,700 as follows: For the register of the blind, \$5,000; from the Nesmith fund, \$3,700.

For the lunacy commission, \$800 as follows: For clerical expenses, \$500; for incidentals, \$200; for printing blanks, \$100.

For the state hospital, for maintenance, gross expenditures, \$300,000.

For the industrial school, \$45,000 as follows: For salaries, \$17,000; for clerical expenses, and report, \$1,000; for maintenance, \$27,000.

For the state prison, \$51,800 as follows: For salary of warden, \$2,500; for salary of chaplain, \$1,000; for salary of physician, \$500; for salary of parole officer, \$200; for expenses of parole officer, \$200; for library, \$200; for special repairs, \$2,000; for running expenses, \$45,000; for prison band, \$200.

For the soldiers' home, for maintenance, \$17,000.

For the school for feeble-minded children, for maintenance, \$60,000.

For the state sanatorium, \$34,000 as follows: For salaries, \$13,500; for maintenance, \$20,500.

For the Prisoners' Aid Association, \$200.

For the bureau of labor, \$13,300 as follows: For salary of commissioner, \$2,500; for salary of clerks and assistants, \$1,000; for expenses of arbitration, \$1,500; for incidentals and traveling, \$1,000; for printing blanks, \$300; for printing report, \$500; for factory inspection: for two inspectors, \$4,000; for clerk, \$1,000; for travel, \$1,000; for printing, \$500.

For the department of agriculture, \$19,300 as follows: For salary of commissioner, \$2,500; for salary of deputy, \$1,500; for clerical expenses, \$1,800; for advisory board, per diem, and expenses, \$400; for incidentals, \$300; for institutes and public meetings, \$2,000; for feeding stuffs inspection, \$2,500; for fertilizer inspection, \$2,500; for nursery inspection, \$500; for seed inspection, \$500; for resources of state publications, \$2,300; for licensing milk dealers, \$500; for Granite State Dairymen's Association, \$1,000; for New Hampshire Horticultural Society, \$1,000.

For the cattle commission, \$18,500 as follows: For incidentals, \$500; for animals destroyed, \$8,000; for inspection, disinfection and appraisal, \$3,500; for possible expenses of epidemic, \$6,500.

For the state board of health, \$15,050 as follows: For salary of secretary, \$3,000; for salary of clerk, \$700; for incidentals, \$450; for printing blanks, \$400; for epidemic fund, \$2,500; for sanitary inspection, \$5,000; for engineer, \$500; for antitoxin, \$2,500.

For laboratory of hygiene, \$9,300 as follows: For salaries of two chemists, \$3,400; for salaries of three bacteriologists, \$3,200;

for clerk and assistant, \$800; for incidentals, \$1,400; for printing blanks and bulletins, \$500.

For vital statistics, \$1,800 as follows: For clerical expenses and incidentals, \$1,800.

For the pharmacy commission, \$1,300 as follows: For compensation, \$375; for incidentals and running expenses, \$500; for printing blanks, \$50; for printing report, \$50; for enforcement of the law, \$325.

For the registration of dentistry, \$500.

For the optometry board, \$275 as follows: For compensation and expenses, \$150; for printing, \$100; for postage, \$25.

For medical referees, for printing, \$50.

For the adjutant-general's department, \$70,025 as follows: For salary of the adjutant-general, \$2,500; for clerical expenses, \$2,000; for incidentals, \$900; for printing blanks, \$500; for officers' uniforms, \$2,500; for rifle ranges, \$2,200; for state armories, Concord, Manchester and Nashua, \$8,500; for national guard (so much of this as may be necessary to pay expenses of the annual encampment, available June 1, of each year), \$50,925.

For military organizations, \$300 as follows: For Amoskeag Veterans, \$100; for Manchester War Veterans, \$100; for Lafayette Artillery Company, \$100.

For bounties on hedgehogs, \$3,500.

For bounties on bears and grasshoppers, \$800.

For lights and buoys, \$2,315 as follows: For Winnepesaukee lake, \$1,100; for Winnepesaukee lake, opposite Melvin village, \$100; for Sunapee lake, \$400; for Squam lake, \$300; for Winnisquam lake, \$65; for Endicott rock, \$50; for Endicott rock, repairs to platform, \$300.

For firemen's relief fund, \$4,000.

For forest protection, \$42,700 as follows: For salary of forester, \$3,000; for field assistance, \$2,000; for clerical expense, \$2,000; for traveling expenses, \$1,000; for incidentals and commissioners' expenses, \$1,500; for printing blanks, \$700; for printing report, \$500; for district chiefs' salaries and expenses, \$4,800; for lookout stations, establishment and maintenance of, \$6,700; for forestry conferences, \$800; for prevention of fires, \$2,700; for nursery stock, \$2,000; for care and acquisition of state land, \$5,000; for town forest fire expenses and equipment, \$7,500; for reforestation of waste lands, \$2,500.

For moth suppression, \$12,000.

For the board of trustees of state institutions, \$11,550 as follows: For per diem of trustees, \$3,500; for clerical expenses, \$3,000; for salary of purchasing agent, \$3,000; for expenses of trustees, \$500; for expenses of purchasing agent, \$250; for incidentals, \$900; for stationery, printing and blanks, \$400.

For the highway department, \$450,000 as follows: For permanent improvement, \$125,000; for maintenance (automobile fees estimated, balance of previous year to be brought forward), \$325,000.

For interest charges and maturing bonds, \$144,776.48 as follows: For teachers' institute fund, \$2,388.93; for Fiske legacy, \$1,055.14; for Kimball legacy, \$270.14; for agricultural college fund, \$4,800; for Hamilton Smith fund, \$400; for Benjamin Thompson fund, \$31,887.27; for John Nesmith fund, \$3,700; for temporary loans, \$2,500; for hospital loan, issue 1905, \$2,800; for hospital loan, issue of 1907, \$5,250; for hospital loan, issue 1909, \$2,975; for sanatorium loan, \$1,750; for hospital bonds, issue 1905, \$10,000; for highway bonds, \$75,000; for sanatorium bonds.

For the G. A. R. department, \$2,150 as follows: For printing, \$300; for burial of soldiers, \$1,800; for incidentals, \$50.

For the New Hampshire Historical Society, \$500.

Appropriation  
for departments,  
open to what use.

SECT. 2. Part of any appropriation herein made for any department may be used for other work of said department and any balance remaining from the appropriation for public instruction department for aid and encouragement of schools, may be applied for maintenance of the normal schools, subject to the approval of the governor and council.

Takes effect  
August 31, 1917.

SECT. 3. This act shall take effect August 31, 1917.

[Approved April 19, 1917.]

CHAPTER 231.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF  
NEW HAMPSHIRE FOR THE YEAR ENDING AUGUST 31, 1919.

SECTION

1. Appropriations for sundry purposes.
2. Appropriation for departments, open to what use.

SECTION

3. Takes effect August 31, 1917.

Appropriations  
for sundry  
purposes.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the state, for the purposes specified, for the fiscal year ending on the thirty-first day of August, nineteen hundred and nineteen, to wit:

For the executive department, \$36,300 as follows: For salary of governor, \$3,000; for salary of governor's secretary, \$800; for council, per diem and expenses, \$5,000; for governor's contin-

gent fund, \$1,500; for transportation, \$600; for incidentals, \$150; for printing blanks, \$250; for emergency fund, to protect the interests of the state, \$25,000.

For the secretary of state department, \$26,300 as follows: For salary of secretary, \$3,500; for salary of deputy secretary, \$1,800; for clerical expense, \$1,500; for incidentals, \$500; for printing blanks, \$250; for printing report, \$500; for express, \$400; for postage, \$300; for indexing province records, \$1,000; for Australian ballot, \$4,500; for direct primary, \$2,000; for purchase of New Hampshire law reports, \$1,050; for copying ancient records, \$6,000; for copying provincial records, \$3,000.

For the treasury department, \$11,100 as follows: For salary of treasurer, \$3,000; for salary of deputy, \$1,800; for clerical expenses, \$3,600; for compiling statistics, \$200; for incidentals, \$900; for printing blanks, \$400; for printing report, \$500; for treasurer's and deputy's bond, \$700.

For the insurance department, \$8,500 as follows: For salary of commissioner, \$2,000; for clerical expenses, \$3,000; for incidentals, \$1,000; for printing blanks, and report, \$2,500.

For the bank commission, \$12,100 as follows: For salaries of commissioners, \$8,000; for clerical expenses, \$1,100; for expenses of commissioners, \$1,200; for incidentals, \$600; for printing report, and blanks, \$1,200.

For the public service commission, \$31,700 as follows: For salaries of commissioners, \$10,700; for experts, clerks, and assistants, \$15,000; for expenses of commissioners, \$1,000; for incidentals and printing, \$5,000.

For the tax commission, \$14,000 as follows: For salaries of commissioners, \$8,000; for clerical expense, \$1,000; for expenses of commissioners, \$1,000; for incidentals and printing, \$3,000; for printing report, \$500; for expense of gathering county and town financial statistics, \$500.

For the public printing, \$3,100 as follows: For incidentals, and printing blanks, \$100; for purchase of paper stock, \$3,000.

For department of indexing, for salaries, \$1,200.

For state house department, \$19,200 as follows: For salaries and pay roll, \$8,200; for fuel, \$3,000; for light and power, \$3,000; for water, \$400; for miscellaneous repairs, furniture, and incidentals, \$3,000; for telephone, switchboard, and operator, \$1,600.

For the legislature, for expenses, \$140,000.

For the supreme court, \$29,730 as follows: For salaries of justices, \$25,000; for salary of clerk, \$500; for salary of messenger, \$200; for salary of state reporter, \$1,800; for justices' expenses, \$800; for transportation, \$200; for examination of students, \$450; for incidentals, \$700; for transportation of state reporter, \$80.

For the superior court, \$28,900 as follows: For salaries of jus-



tices, \$25,000; for justices' expenses, \$3,000; for incidentals, \$300; for transportation, \$600.

For the attorney-general's department, \$13,900 as follows: For salary of attorney-general, \$3,000; for salary of assistant attorney-general, \$3,000; for clerical expenses, \$3,000; for incidentals, \$1,000; for copies of wills and records, \$1,300; for supplies, \$500; for printing, \$200; for traveling expenses, \$1,200; for enforcement of liquor laws, \$500; for printing report, \$200.

For probate court department, \$9,900 for salaries of judges, as follows: For Rockingham county, \$1,200; for Strafford county, \$800; for Belknap county, \$600; for Carroll county, \$700; for Merrimack county, \$1,200; for Hillsborough county, \$2,000; for Cheshire county, \$900; for Sullivan county, \$600; for Grafton county, \$1,000; for Coös county, \$900.

For salaries of registers of probate and deputies, \$11,400 as follows: For Rockingham county, register, \$1,200; for Rockingham county, deputy, \$600; for Strafford county, register, \$1,000; for Belknap county, register, \$600; for Carroll county, register, \$600; for Merrimack county, register, \$1,200; for Merrimack county, deputy, \$800; for Hillsborough county, register, \$1,500; for Hillsborough county, deputy, \$800; for Cheshire county, register, \$600; for Sullivan county, register, \$600; for Grafton county, register, \$1,000; for Coös county, register, \$900.

For the public instruction department, \$23,200 as follows: For salary of superintendent, \$4,000; for salaries of deputies, \$6,500; for traveling expenses of deputies, \$1,400; for clerical expenses, \$2,000; for truant officer, attendance, \$1,000; for incidentals, \$1,500; for printing blanks, \$1,000; for printing report, \$1,400; for child labor act, salaries, \$2,400; for child labor act, travel and printing, \$1,400; for courses of study, \$600.

For schools, for support and encouragement, \$120,000.

For mothers' aid act, \$20,000.

For Plymouth normal school, \$32,000 as follows: For salaries, maintenance and operation, printing report, incidentals, and trustees' expenses, \$32,000.

For Keene normal school, \$32,000 as follows: For salaries, maintenance and operation, printing report, incidentals, and trustees' expenses, \$32,000.

For New Hampshire College of Agriculture and Mechanic Arts, \$52,000 as follows: For free tuition to New Hampshire students, \$3,000; for poultry breeding, \$4,000; for maintenance, \$45,000.

For the deaf, dumb, and blind, \$20,150 as follows: For support and education, \$20,000; for Granite State Deaf Mute Mission, \$150.

For the state library, \$18,030 as follows: For salaries, \$6,030; for maintenance and operation, \$5,600; for books, periodicals, and binding, \$6,000; for expenses of trustees, \$150; for bulletin, public libraries, \$250.

For the state board of charities and correction, \$29,050 as follows: For salary of secretary, \$2,000; for clerical expenses, \$1,400; for incidentals, \$400; for traveling expenses, \$700; for printing blanks, \$100; for tubercular patients, \$20,000; for printing report, \$450; for child welfare work, \$4,000.

For the register of the blind, \$8,700 as follows: For the register of the blind, \$5,000; from the Nesmith fund, \$3,700.

For the lunacy commission, \$1,150 as follows: For clerical expenses, \$500; for incidentals, \$200; for printing blanks, \$100; for printing report, \$350.

For the state hospital, for maintenance, gross expenditures, \$315,000.

For the industrial school, \$45,000 as follows: For salaries, \$17,000; for clerical expenses, and report, \$1,000; for maintenance, \$27,000.

For the state prison, \$51,910 as follows: For salary of warden, \$2,500; for salary of chaplain, \$1,000; for salary of physician, \$500; for salary of parole officer, \$200; for expenses of parole officer, \$200; for library, \$200; for special repairs, \$2,000; for running expenses, \$45,000; for printing report, \$110; for prison band, \$200.

For the soldiers' home, for maintenance, \$17,000.

For the school for feeble-minded children, \$65,200 as follows: For maintenance, \$65,000; for printing report, \$200.

For the state sanatorium, \$34,000 as follows: For salaries, \$13,500; for maintenance, \$20,500.

For the Prisoners' Aid Association, \$200.

For the bureau of labor, \$13,300 as follows: For salary of commissioner, \$2,500; for salary of clerks, and assistants, \$1,000; for expenses of arbitration, \$1,500; for incidentals and traveling, \$1,000; for printing blanks, \$300; for printing report, \$500; for factory inspection: for two inspectors, \$4,000; for clerk, \$1,000; for travel, \$1,000; for printing, \$500.

For the department of agriculture, \$20,100 as follows: For salary of commissioner, \$2,500; for salary of deputy, \$1,500; for clerical expenses, \$1,800; for advisory board, per diem, and expenses, \$400; for incidentals, \$300; for printing report, \$800; for institutes and public meetings, \$2,000; for feeding stuffs inspection, \$2,500; for fertilizer inspection, \$2,500; for nursery inspection, \$500; for seed inspection, \$500; for resources of state publications, \$2,300; for licensing milk dealers, \$500; for Granite State Dairy-men's Association, \$1,000; for New Hampshire Horticultural Society, \$1,000.

For the cattle commission, \$18,500 as follows: For incidentals, \$500; for animals destroyed, \$8,000; for inspection, disinfection and appraisal, \$3,500; for possible expenses of an epidemic, \$6,500.

For the state board of health, \$16,050 as follows: For salary of secretary, \$3,000; for salary of clerk, \$700; for incidentals, \$450;

for printing blanks, \$400; for printing report, \$1,000; for epidemic fund, \$2,500; for sanitary inspection, \$5,000; for engineer, \$500; for antitoxin, \$2,500.

For the laboratory of hygiene, \$9,300 as follows: For salaries of two chemists, \$3,400; for salaries of three bacteriologists, \$3,200; for clerk and assistant, \$800; for incidentals, \$1,400; for printing blanks and bulletins, \$500.

For vital statistics, \$3,000 as follows: For clerical expenses and incidentals, \$1,800; for printing report, \$1,200.

For the pharmacy commission, \$1,500 as follows: For compensation, \$375; for incidentals and running expenses, \$700; for printing blanks, \$50; for printing report, \$50; for enforcement of the law, \$325.

For registration of dentistry, \$500.

For the optometry board, \$275 as follows: For compensation and expenses, \$150; for printing, \$100; for postage, \$25.

For medical referees, for printing, \$50.

For the adjutant-general's department, \$70,325 as follows: For salary of adjutant-general, \$2,500; for clerical expenses, \$2,000; for incidentals, \$900; for printing blanks, \$500; for printing report, \$300; for officers' uniforms, \$2,500; for rifle ranges, \$2,200; for state armories, Concord, Manchester and Nashua, \$8,500; for national guard (so much of this as may be necessary to pay expenses of the annual encampment, available June 1, of each year), \$50.925.

For military organizations, \$300 as follows: For Amoskeag Veterans, \$100; for Manchester War Veterans, \$100; for Lafayette Artillery Company, \$100.

For bounties on hedgehogs, \$3,500.

For bounties on bears and grasshoppers, \$800.

For lights and buoys, \$2,015 as follows: For Winnepesaukee lake, \$1,100; for Winnepesaukee lake, opposite Melvin village, \$100; for Sunapee lake, \$400; for Squam lake, \$300; for Winnisquam lake, \$65; for Endicott rock, \$50.

For firemen's relief fund, \$4,000.

For forest protection, \$42,700 as follows: For salary of forester, \$3,000; for field assistance, \$2,000; for clerical expense, \$2,000; for traveling expenses, \$1,000; for incidentals and commissioners' expenses, \$1,500; for printing blanks, \$900; for district chiefs' salaries and expenses, \$4,800; for lookout stations, establishment and maintenance of, \$7,000; for forestry conferences, \$800; for prevention of fires, \$2,700; for nursery stock, \$2,000; for care and acquisition of state lands, \$5,000; for town forest fire expenses and equipment, \$7,500; for reforestation of waste lands, \$2,500.

For moth suppression, \$12,000.

For the board of trustees of state institutions, \$11,550 as follows: For per diem of trustees, \$3,500; for clerical expenses, \$3,000; for salary of purchasing agent, \$3,000; for expenses of trustees, \$500;

for expenses of purchasing agent, \$250; for incidentals, \$900; for stationery, printing and blanks, \$400.

For the highway department, \$475,000 as follows: For permanent improvement, \$125,000; for maintenance (automobile fees estimated, balance of previous year to be brought forward), \$350,000.

For interest charges and maturing bonds, \$119,426.48 as follows: For teachers' institute fund, \$2,388.93; for Fiske legacy, \$1,055.14; for Kimball legacy, \$270.14; for agricultural college fund, \$4,800; for Hamilton Smith fund, \$400; for Benjamin Thompson fund, \$31,887.27; for John Nesmith fund, \$3,700; for temporary loans, \$2,500; for hospital loan, issue 1905, \$2,450; for hospital loan, issue 1907, \$5,250; for hospital loan, issue 1909, \$2,975; for sanatorium loan, \$1,750; for hospital bonds, issue 1905, \$10,000; for sanatorium bonds, \$50,000.

For the G. A. R. department, \$2,150 as follows: For printing, \$300; for burial of soldiers, \$1,800; for incidentals, \$50.

For the New Hampshire Historical Society, \$500.

For Old Home Week observance, \$300.

SECT. 2. Part of any appropriation herein made for any department may be used for other work of said department and any balance remaining from the appropriation for public instruction department for aid and encouragement of schools may be applied for maintenance of the normal schools, subject to the approval of the governor and council.

SECT. 3. This act shall take effect August 31, 1917.

Takes effect  
August 31, 1917.

[Approved April 19, 1917.]

## CHAPTER 232.

### JOINT RESOLUTION IN FAVOR OF THE WIDOW OF PATRICK MCGREEVY OF MANCHESTER.

Payment authorized.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT Mrs. Patrick McGreevy, widow of Patrick McGreevy, member of the house, be allowed the sum of two hundred dollars (\$200); that the governor be authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated; and that the same be paid at once.

[Approved January 30, 1917.]



## CHAPTER 233.

JOINT RESOLUTION TO PROVIDE FOR EXPERT INSPECTION OF ACTS AND  
RESOLUTIONS PASSED BY THE LEGISLATURE.

\$300 appropriated.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

\$300 appro-  
priated.

THAT the governor be and hereby is authorized to contract with some suitable person to inspect all acts and resolutions passed by the legislature and presented to him for his signature, and that the governor is hereby authorized to draw his warrant for the required sum not exceeding three hundred dollars (\$300) out of any money in the treasury not otherwise appropriated.

[Approved February 7, 1917.]

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CHAPTER 234.

## JOINT RESOLUTION IN FAVOR OF JOHN M. T. CURRIER AND OTHERS.

Allowances to sundry persons.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

Allowances to  
sundry persons.

THAT John M. T. Currier, doorkeeper, be allowed the sum of sixteen dollars and forty cents; that M. J. Diamond, custodian, be allowed the sum of sixteen dollars and forty cents; that Charles W. Townsend, warden, be allowed the sum of fourteen dollars; that Alphonse W. Vigneault, page, be allowed the sum of sixteen dollars; that Franklin J. Minah be allowed the sum of nine dollars and twenty cents; that Frank M. Kenna, page, be allowed the sum of thirteen dollars and fifty cents; that George H. Magoon be allowed the sum of three dollars and fifty cents and that Eugene P. Cullerot, be allowed the sum of three dollars and fifty cents, in full for their services at the organization of the present senate and house, and that the governor be and hereby is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 1, 1917.]

## CHAPTER 235.

JOINT RESOLUTION IN FAVOR OF THE GRANITE STATE DEAF MUTE  
MISSION.

\$150 appropriated annually for 1917 and 1918.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

THAT the sum of one hundred and fifty dollars annually be appro-<sup>\$150 appro-</sup>  
priated for the years 1917 and 1918, for the use of the Granite <sup>priated annually</sup>  
State Deaf Mute Mission, and the governor is hereby authorized <sup>for 1917 and</sup> 1918.  
to draw his warrant therefor.

[Approved March 1, 1917.]

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CHAPTER 236.JOINT RESOLUTION PROVIDING FOR THE PAYMENT OF THE EXPENSES OF  
A CONVENTION TO REVISE THE CONSTITUTION.

\$35,000 appropriated.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

THAT a sum not exceeding thirty-five thousand dollars be and is <sup>\$35,000</sup>  
hereby appropriated to pay the expenses of a convention to revise <sup>appropriated.</sup>  
the constitution; and the governor is authorized to draw his war-  
rant for so much of said sum as may be necessary for that purpose.

[Approved March 1, 1917.]

## CHAPTER 237.

## JOINT RESOLUTION IN FAVOR OF BURT W. DEAN AND OTHERS.

Allowances to sundry persons.

*Resolved by the Senate and House of Representatives in General Court convened:*

Allowances to  
sundry persons.

THAT Burt W. Dean of Danbury be allowed the sum of fourteen dollars and fifty cents, Thomas R. Stewart of Manchester be allowed the sum of fifteen dollars, that Daniel Kidder of Rumney be allowed the sum of fifteen dollars, that Michael S. Donnelly be allowed the sum of fifteen dollars, that William F. Hoyt of Concord be allowed the sum of fifteen dollars, for necessary expenses incurred in maintaining their several rights to seats in this house.

THAT Chester Abbott of Bath be allowed the sum of thirty dollars for necessary expenses incurred in maintaining his right to a seat in this house, and that Fred M. Pettengill be allowed the sum of thirty-six dollars for maintaining his right to a seat in the honorable senate, and the governor is hereby authorized to draw his warrant for the several sums above appropriated.

[Approved March 27, 1917.]

## CHAPTER 238.

## JOINT RESOLUTION IN REGARD TO THE THREE HUNDREDTH ANNIVERSARY OF THE LANDING OF THE PILGRIMS AT PLYMOUTH ROCK.

Preamble; committee of nine authorized; actual expenses only.

Preamble.

WHEREAS, the three hundredth anniversary of the landing of the Pilgrims at Plymouth Rock, in 1620, is now near at hand, and a proper and adequate celebration of that event, unsurpassed in importance in our American history, is eminently desirable, and

WHEREAS, the New Hampshire board of trade, at its meeting in Exeter, in May, 1912, was the first organization to give formal public expression to the desirability of such observance, and

WHEREAS, the legislature of Massachusetts has now under consideration sundry plans for the celebration of the event in question, along sentimental and patriotic as well as educational and industrial lines, some one of which, with or without change or modification, is likely to be adopted by said legislature before the close of the present session, and

WHEREAS, New Hampshire, as well as every other New England state, is interested in the fitting and adequate observance of this great anniversary, and

WHEREAS, another session of this general court will not be held until January, 1919, and if New Hampshire is to perform a proper and worthy part in carrying out this celebration, it is manifestly necessary that some preliminary action be taken at this time, it is, therefore, hereby

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT a committee of nine members be appointed by the governor, Committee of nine authorized. Actual expenses only. with advice and consent of the council, who shall take this matter into consideration, and, keeping in touch with the action of Massachusetts, and other states in relation thereto, shall report at the opening of the next session of the general court such plan of co-operative action on the part of the state of New Hampshire, as the situation and circumstances then developed shall in their judgment warrant, it being expressly provided that said committee shall serve without compensation, except for actual necessary expenses.

[Approved March 27, 1917.]

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## CHAPTER 239.

### JOINT RESOLUTION RELATING TO THE STATE GUN HOUSE AT PORTSMOUTH.

Title of, to be investigated.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT, His Excellency the Governor and the Honorable Council Title of, to be investigated. be authorized and requested to investigate the state's title to the state gun house, so called, with the land whereon it stands in the city of Portsmouth, and to sell and convey or otherwise dispose of the same, as they shall determine best for the state. And this resolution shall take effect upon its passage.

[Approved April 3, 1917.]



## CHAPTER 240.

## JOINT RESOLUTION APPROPRIATING MONEY FOR ADDITIONAL ACCOMMODATIONS AT THE SCHOOL FOR FEEBLE-MINDED CHILDREN.

\$58,000 appropriated.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$58,000  
appropriated.

THAT to provide additional accommodations at the school for feeble-minded children, the sum of fifty-eight thousand dollars (\$58,000) be and hereby is appropriated for the purpose of erecting a dormitory for feeble-minded women of child bearing age. Of said sum there is appropriated the sum of twenty-nine thousand dollars (\$29,000) for the year ending August 31, 1918, and a like sum for the year ending August 31, 1919; said sums to be expended under the direction of the board of trustees of state institutions, or whatever body may be charged with the supervision of the management of said institutions. The governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated and this resolution shall take effect August 31, 1917.

[Approved April 3, 1917.]

## CHAPTER 241.

## JOINT RESOLUTION TO PROVIDE FOR THE COMPLETION OF THE TRUNK LINE ROADS; THE CONSTRUCTION OF CERTAIN CROSS-STATE ROADS HERETOFORE DESIGNATED, AND TO SECURE FEDERAL AID.

\$200,000 appropriated annually for two years.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$200,000  
appropriated  
annually for two  
years.

THAT the sum of four hundred thousand dollars, viz. two hundred thousand dollars for the year ending August 31, 1918, and a like sum for the year ending August 31, 1919, be and hereby is appropriated for the completion of the several trunk lines designated and known as the East Side, West Side, Merrimack Valley, South Side, Rockingham and the Ossipee-Meredith roads, the construction of the cross-state roads designated by authority of chapter

93, Laws of 1915, and to secure federal aid. The sum of eighty thousand dollars of the above sum is hereby made available, for use in construction of said roads, on May 1, 1917, *provided* said use is approved by the governor and council and said sum shall be deducted from the amount appropriated for either or both of said years ending August 31, 1918 and 1919. The governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved April 3, 1917.]

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## CHAPTER 242.

### JOINT RESOLUTION FOR THE REPAIR AND IMPROVEMENT OF TUMBLE- DOWN DICK ROAD IN THE TOWN OF BROOKFIELD.

\$100 appropriated annually for two years, provided the town duplicates it.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one hundred dollars (\$100) for each of the years 1917 and 1918 be and hereby is appropriated, on condition that the same amount shall be appropriated and added by the town of Brookfield, or by local parties acting jointly and severally, for the repair and improvement of the highway known as the Tumbledown Dick road. The said sums appropriated by the state and by the town and individuals shall be expended under the direction of the commissioner of highways, and the sums appropriated by the state shall be a charge upon the appropriation for the permanent improvement of highways made by section 10, chapter 35, Laws of 1905.

\$100 appropriated annually for two years, provided the town duplicates it.

[Approved April 4, 1917.]

## CHAPTER 243.

## JOINT RESOLUTION TO PROVIDE FOR THE REPAIR OF THE MOUNTAIN ROAD, SO CALLED, UP CROTCHED MOUNTAIN, IN FRANCESTOWN.

\$50 appropriated annually for two years, provided the town duplicates it.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$50 appropriated annually for two years, provided the town duplicates it.

THAT the sum of fifty dollars for each of the years 1917 and 1918 be and hereby is appropriated, on condition that the same amount shall be appropriated and added by the town of Francestown, or by local parties acting jointly and severally, for the repair and improvement of the highway on Crotched Mountain in the town of Francestown. The said sums appropriated by the state and the town (or individuals) shall be expended under the direction of the commissioner of highways, and the sum appropriated by the state shall be a charge upon the appropriation for the improvement of highways made by section 10, chapter 35, Laws of 1905.

[Approved April 4, 1917.]

## CHAPTER 244.

## JOINT RESOLUTION APPROPRIATING MONEY FOR IMPROVEMENTS AT THE NEW HAMPSHIRE STATE SANATORIUM.

\$42,000 appropriated.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$42,000 appropriated.

THAT the sum of forty-two hundred dollars be, and the same is hereby appropriated for repairs and improvements at the New Hampshire State Sanatorium, as follows: painting and repairs, two thousand dollars; grading and drainage, two thousand dollars; telephone system, two hundred dollars; and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved April 10, 1917.]

## CHAPTER 245.

JOINT RESOLUTION IN FAVOR OF THE CONSTRUCTION OF A PERMANENT HIGHWAY LEADING FROM PONTOOK FALLS IN DUMMER, THROUGH WEST MILAN, TO STARK.

\$500 appropriated annually for two years, provided the towns duplicate it.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of five hundred dollars for the year 1917, and a like amount for the year 1918, be and the same hereby is appropriated for the permanent construction of the highway leading from the state highway in Dummer at Pontook Falls, through West Milan in the town of Milan, and across the new iron bridge recently built in West Dummer to connect with the newly constructed permanent highway in the town of Stark, *providing* that the towns through which said highway runs and individual citizens shall appropriate the sum of five hundred dollars for the year 1917 and a like amount for the year 1918, the same to be expended under the direction of the governor and council; and the said sums appropriated by the state are made a charge upon the maintenance funds, as provided by section 10, chapter 35, Laws of 1905.

[Approved April 10, 1917.]

## CHAPTER 246.

JOINT RESOLUTION APPOINTING A COMMISSION TO ACT WITH A SIMILAR COMMISSION FROM THE STATE OF MAINE TO RECOMMEND TO THE LEGISLATURE OF 1919 A DEFINITE PROPOSITION FOR AN INTERSTATE HIGHWAY OR FREE BRIDGE BETWEEN PORTSMOUTH, N. H., AND KITTERY, ME.

Preamble; committee appointed; \$2,500 appropriated for expenses.

*Resolved by the Senate and House of Representatives in General Court convened:*

WHEREAS, there exists today no free public highway from the state of Maine to the state of New Hampshire across or over the Piscataqua river to connect the state highways of these two states, and to serve the thousands of travelers both local and general, who are obliged to pass from one state into the other, and,



WHEREAS, the only thoroughfare crossing said river is privately owned, it being an old, wooden and inadequate toll-bridge, in connection with a railroad bridge, at a point on said river obsolete according to modern conditions, and,

WHEREAS, many hundreds of workmen employed at the Portsmouth navy yard and thousands of farmers, and other citizens are unjustly subjected to the payment of toll twice or four times daily or else pay for a circuitous ride under conditions where they could readily walk if the proposed free bridge were built, and,

WHEREAS, the boundary line between these two states runs approximately with the center or thread of said river, so that the joint and concurrent action of said states becomes necessary in order to construct such a highway or bridge, and,

WHEREAS, from Portsmouth, N. H., to Kittery, Me., is the natural and practically only gateway not only between these two states but as far as tourists come and go in the entire nation, and the natural and rapid progress of these two states as summer resorts is being checked by the aforesaid bad traveling conditions, and the wide notoriety which these bad conditions have received and,

WHEREAS, in order to provide a proper state road or bridge at this point requires not only the joint and concurrent action of both states, but may also involve the question of the use of such a proposed bridge by the electric roads, and steam roads and the use of the river for shipping, and other considerations; and a proper solution of all the problems involved to accomplish the most satisfactory result for the public, requires expert knowledge and investigation as to the aforesaid, and as to the exact location, size, structure, construction of said proposed bridge and the best scheme for financing the proposition, and,

WHEREAS, a member of the legislature of the state of Maine by agreement with the mover of this resolution will introduce a similar resolution in that legislature at this session in order to carry out the same purposes (said state of Maine having done the same in 1915 without the concurrent action of this state), now, therefore,

*Resolved*, that a committee be and hereby is appointed consisting of His Excellency, Honorable Henry W. Keyes of Haverhill, Honorable Jacob H. Gallinger of Concord and Honorable Calvin Page of Portsmouth, with the following powers and duties: in case the state of Maine shall authorize a commission with similar duties the aforesaid New Hampshire commission shall act with said Maine commission in a thorough study and investigation of all matters incident and necessary in their judgment for carrying out the purposes outlined and suggested in the preamble of this resolution to the end that each commission may make to the legislature of its state in the year 1919 a joint definite recommendation in all its details, so that each state upon the approval of such recommendations may at once proceed in conjunction with the other state to

Committee  
appointed. \$2,500  
appropriated for  
expenses.

construct said proposed joint state highway or bridge. Said committee shall serve without pay but shall be allowed in their discretion a sum not exceeding \$2,500 to defray such disbursements and expenses in making surveys, for travel, clerk hire, etc., as they shall see fit to incur. Any vacancy occurring in said commission shall be filled by the appointment of the governor and council. The governor is hereby authorized to draw his warrant for said sum or any part thereof in his discretion out of any money in the treasury not otherwise appropriated.

[Approved April 18, 1917.]

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## CHAPTER 247.

### JOINT RESOLUTION APPROPRIATING MONEY FOR AGRICULTURAL FAIRS IN NEW HAMPSHIRE.

\$2,500 appropriated annually for two years.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

THAT the sum of twenty-five (25) hundred dollars be and the same is hereby appropriated annually for the years nineteen hundred and seventeen and nineteen hundred and eighteen for agricultural exhibits made at fairs incorporated under the laws of the state of New Hampshire where total premiums paid for agricultural exhibits the preceding year were five hundred dollars or over. Said sums shall be expended by the commissioner of agriculture under such rules and regulations as he may direct, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved April 18, 1917.]

## CHAPTER 248.

JOINT RESOLUTION RELATING TO AN APPROPRIATION FOR THE PURPOSE  
OF REPAIRING THE FISH HATCHERY IN COLEBROOK.

\$2,000 appropriated.

*Resolved by the Senate and House of Representatives in General  
Court convened:*\$2,000  
appropriated.

THAT the sum of two thousand dollars is hereby appropriated from the fish and game fund for the purpose of repairing and building additions to the fish hatchery in Colebrook, the same or any part thereof to be expended under the direction of the fish and game commissioners, with the advice and consent of the governor and council.

[Approved April 18, 1917.]

## CHAPTER 249.

JOINT RESOLUTION FOR THE REPAIR OF THE CHERRY MOUNTAIN ROAD  
IN THE TOWN OF JEFFERSON.

\$250 appropriated annually for two years.

*Resolved by the Senate and House of Representatives in General  
Court convened:*\$250 appropriated  
annually for two  
years.

THAT the sum of two hundred and fifty dollars be and the same is hereby appropriated for the repair of the Cherry Mountain road in the town of Jefferson for each of the years 1917 and 1918, *provided* said town of Jefferson shall appropriate a like sum for each of said years, the said sums to be expended under the direction of the highway commissioner: The said appropriation by the state of two hundred and fifty dollars for each of said years shall be a charge upon the appropriation for the permanent improvement of highways made by section 10, chapter 35, Laws of 1905.

[Approved April 18, 1917.]

## CHAPTER 250.

JOINT RESOLUTION TO PROVIDE FOR THE CONSTRUCTION, REPAIRS AND MAINTENANCE OF THE HIGHWAY BETWEEN THE FIRST AND SECOND CONNECTICUT LAKES IN PITTSBURG.

\$500 appropriated annually for two years, provided the town duplicates it.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of five hundred dollars for each of the years 1917 and 1918 be and the same is hereby appropriated for the repair and maintenance of the highway from the Farnsworth Place, so called, to the second Lake House in the town of Pittsburg, *provided* the said town of Pittsburg or individuals shall appropriate a like sum for each of said years, the said sums to be expended under the direction of the highway commissioner: The said appropriation by the state of five hundred dollars for each of said years shall be a charge upon the appropriation for the permanent improvement of highways made by section 10, chapter 35, Laws of 1905.

[Approved April 18, 1917.]

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CHAPTER 251.

JOINT RESOLUTION APPROPRIATING MONEY FOR IMPROVEMENT AND MAINTENANCE OF STATE HIGHWAY LEADING FROM LITTLE DIAMOND POND TO BIG DIAMOND POND.

\$100 appropriated annually for two years, provided the town duplicates it.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one hundred dollars be and the same is hereby appropriated for the permanent improvement and maintenance of the state highway leading from Little Diamond Pond to Big Diamond Pond, in the town of Stewartstown, for each of the years 1917 and 1918, *provided* the town of Stewartstown or individuals shall appropriate a like sum for each of said years, the said sums to be expended under the direction of the highway commissioner: The said appropriation by the state of one hundred dollars for each of said years shall be a charge upon the appropriation for the permanent improvement of highways made by section 10, chapter 35, Laws of 1905.

[Approved April 18, 1917.]



## CHAPTER 252.

JOINT RESOLUTION FOR THE IMPROVEMENT OF THE HIGHWAY KNOWN  
AS THE NARROWS IN THE TOWN OF BATH.

\$1,000 appropriated, provided the town duplicates it.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

\$1,000 appropriated,  
provided the town  
duplicates it.

THAT the sum of \$1,000 is hereby appropriated for the improvement of the highway known as The Narrows, in the town of Bath, said highway being the main road from Woodsville to Monroe, *providing* that the town of Bath shall appropriate a like amount, same to be expended under the direction of the highway commissioner and the said sum appropriated by the state shall be a charge upon the maintenance funds as provided by section 10, chapter 35, Laws of 1905.

[Approved April 18, 1917.]

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CHAPTER 253.JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF ANY BALANCE  
THAT MAY BE DUE ON ACCOUNT OF LAND TAKEN BY THE STATE IN  
CRAWFORD NOTCH AND EXPENSES INCIDENT THERETO.

\$42,882.62 appropriated; exempt from the provisions of Laws of 1913, ch. 66.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

\$42,882.62  
appropriated.

THAT the sum of forty-two thousand eight hundred eighty-two and sixty-two one hundredths (42,882.62) dollars, the same being the unexpended balance of money appropriated by chapter 264, Laws of 1913, to pay the award of the commissioners appointed to assess the damages to the owner or owners, for land in Crawford Notch taken by the state under the provisions of chapter 30, Laws of 1911, which said appropriation, under the provisions of chapter 66 of the Laws of 1913, lapsed on May 21, 1916, be and is hereby appropriated, to pay to said owner or owners, such portion of said award, not already paid, as shall eventually be found to be due to them, upon the several appeals therefrom now pending or otherwise, together with such costs or interest, if any, as may be found

to be legally or justly due, and such expenses as may be necessary to properly protect the interest of the state.

The provisions of chapter 66, Laws of 1913, shall not apply to this appropriation, but the same shall remain available until the rights of all parties in the property involved have been finally adjusted. Exempt from the provisions of Laws of 1913, ch. 66.

[Approved April 18, 1917.]

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## CHAPTER 254.

### JOINT RESOLUTION RELATING TO PAY FOR PLANS FOR HOSPITAL BUILDING AT STATE PRISON.

\$800 appropriated.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the state treasurer be and hereby is authorized to pay to George S. Forrest the sum of eight hundred dollars in full for services on plans, estimates and for consultations for a hospital building at the New Hampshire state prison. \$800 appropriated.

[Approved April 18, 1917.]

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## CHAPTER 255.

### JOINT RESOLUTION FOR THE REPAIR OF THE SANDWICH NOTCH AND DALE ROAD IN THE TOWN OF SANDWICH.

\$300 appropriated annually, provided the town duplicates it.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of three hundred dollars be and the same is hereby appropriated for the repair of the Sandwich Notch and Dale road in the town of Sandwich for each of the years 1917 and 1918, *provided* said town of Sandwich shall appropriate the sum of three \$300 appropriated annually, provided the town duplicates it.

hundred dollars for each of said years, the said sums to be expended under the direction of the highway commissioner: The said sum of three hundred dollars shall be a charge upon the appropriation for the permanent improvement of highways made by section 10, chapter 35, Laws of 1905.

[Approved April 18, 1917.]

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## CHAPTER 256.

### JOINT RESOLUTION PROVIDING FOR THE INVESTIGATION OF THE POSSIBILITIES FOR THE CONSERVATION AND BETTER UTILIZATION OF WATER POWER.

Commissioner to investigate conservation and utilization of water powers, authorized.  
\$3,000 appropriated to meet expenses.

*Resolved by the Senate and House of Representatives in General Court convened:*

Commissioner to investigate conservation and utilization of water powers, authorized.  
\$3,000 appropriated to meet expenses.

THAT the governor, with the advice and consent of the council, shall appoint a commissioner to investigate the possibilities for the conservation and better utilization of water power in this state by means of storage reservoirs or otherwise in accordance with the provisions of chapter 90 of the Laws of 1915, and make a report to the next legislature.

The commissioner so appointed may employ engineering assistance and incur expense incidental thereto, and is empowered to enter into a co-operative agreement with the directors of the United States Geological Survey for the purpose of making the investigation aforesaid. The governor is authorized to draw his warrant for a sum not to exceed \$3,000 for the above purposes out of any money in the treasury not otherwise appropriated.

[Approved April 18, 1917.]

## CHAPTER 257.

## JOINT RESOLUTION APPROPRIATING MONEY FOR THE USE OF DARTMOUTH COLLEGE.

\$15,000 appropriated annually for two years. To include ten scholarships.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT in recognition of the eminent service rendered by Dartmouth College in the cause of higher education and for the general advancement of learning, the sum of fifteen thousand dollars shall be appropriated and paid out of the state treasury to the trustees of Dartmouth College, on the warrant of the governor, on the first day of September each year for a period of two years next after the passage of this resolution, for use by said college in its educational work. This appropriation shall include ten scholarships each year for two years for the full prepaid annual tuition, at the disposal of the state, to be awarded to worthy students residents of New Hampshire. For the second year these scholarships may be awarded to the same or to different students. The students granted these scholarships shall be appointed by the governor and council on recommendation of the president of Dartmouth College and the superintendent of public instruction, and these students shall be chosen from the different counties of the state so far as this distribution is found practicable.

[Approved April 19, 1917.]

## CHAPTER 258.

## JOINT RESOLUTION IN FAVOR OF WALTER J. A. WARD, WILLIAM H. KNOX AND OTHERS.

Allowances to sundry persons.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT Walter J. A. Ward, sergeant-at-arms, be allowed the sum of \$372; that William H. Knox, sergeant-at-arms, be allowed the sum of \$372; that Chellis V. Smith, chaplain, be allowed the sum of \$322; that Oscar B. Nims, custodian, be allowed the sum of \$322; that George Lawrence, Guy S. Neal, Harry J. A. Robinson,

Allowances to  
sundry persons.



William W. Pike and Clarence S. Forsaith be allowed the sum of \$322 each; that Edwin L. Dickinson, warden, and George A. Kemp, assistant warden, be allowed the sum of \$322 each; that Fred W. Lamb, library messenger, Mott L. Bartlett, telephone messenger, Bernard B. Chase, messenger, Frederick E. Cilley, assistant messenger, and Ralph W. Cate, telephone messenger, be allowed the sum of \$322 each; that Howard E. Nelson, John Ross, Edison J. Minah and Raymond W. Carter, pages, be allowed the sum of \$184 each; that Maurice M. Stickney, page, be allowed the sum of \$184; that Joseph H. Lane, speaker's page, be allowed the sum of \$230; that Lizzie H. Sanborn, Marion L. Corser, Frances E. Clark, Bessie A. Callaghan and Ella M. Wardner, stenographers, be allowed the sum of \$368 each; that Agnes K. Nawn, stenographer, be allowed the sum of \$368; that Frank L. Aldrich, governor's messenger, be allowed the sum of \$368; that James S. Mansur, judiciary messenger, be allowed the sum of \$322; that Harrie M. Young and Earl C. Gordon, clerk of the house and senate, respectively, be allowed the sum of \$200 each, and that Bernard W. Carey, assistant clerk of the house, and Thomas P. Cheney, 2nd, assistant clerk of the senate, be allowed the sum of \$100 each; that William M. Haggett be allowed the sum of \$22; that Edson C. Eastman Company be allowed the sum of \$741.76; that Underwood Typewriter Company be allowed the sum of \$42.85; that Remington Typewriter Company be allowed the sum of \$8.75; that Edson C. Eastman Company be allowed the sum of \$402.05 and \$14.50; that J. M. Stewart & Sons Company be allowed the sum of \$48.57; that W. P. Goodman be allowed the sum of \$30.85; that Kirby Brothers, florists, be allowed the sum of \$10 for wreath for McGreevey funeral; that Kean, Sheehan & Sullivan, undertakers, be allowed the sum of \$4 for hack for McGreevey funeral; that Smith B. Harrington be allowed the sum of \$25; that Carl S. Magoon be allowed the sum of \$22.50; that N. C. Nelson and Company be allowed the sum of \$5.10; that the Cragg Bindery be allowed the sum of \$59.25; that Brown & Saltmarsh be allowed the sum of \$11.93; that Hosley and Jeanotte be allowed the sum of \$1.50; that A. H. Britton & Company be allowed the sum of \$32.60; that The Harding Uniform and Regalia Company be allowed the sum of \$96; that W. L. Riford be allowed the sum of \$1; that J. M. Stewart & Sons Company be allowed the sum of \$21.60; that Sentinel Publishing Company be allowed the sum of \$1.65; that the police department of the city of Concord be allowed the sum of \$9; that J. M. Stewart and Sons Company be allowed the sum of \$9.38; that the Union Leader Publishing Company be allowed the sum of \$479.22; that John B. Clarke Company be allowed the sum of \$464.44; that Monitor and Statesman Company be allowed the sum of \$504.92; that New Hampshire Patriot Company be allowed the sum of \$352.40; that Telegraph Publishing Company be allowed the sum of \$1.84; that

the Times Publishing Company be allowed the sum of \$3.48; that Portsmouth Herald Company be allowed the sum of \$5; that George J. Foster & Company be allowed the sum of \$1.25; that the Laconia Democrat be allowed the sum of \$1.84; that the forestry department be allowed the sum of \$52.13 for rent; that William H. Knox be allowed the sum of \$7.85; that the legislative department be allowed the sum of \$627.30; that J. E. Gage be allowed the sum of \$7.10; that William M. Haggett be allowed the sum of \$715.

This joint resolution shall take effect upon its passage.

[Approved April 19, 1917.]

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## CHAPTER 259.

### JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE STATE HOSPITAL.

\$10,000 appropriated.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of five thousand dollars be appropriated for the <sup>\$10,000</sup> furnishing of wards I and J of the new Walker wing at the state <sup>appropriated.</sup> hospital, and for furniture for the dining room and also for the third floor of the south wing, and to construct a cement floor for the basement. That the further sum of five thousand dollars be appropriated for the purchase or construction of the coal pocket on which the state has an option, situate near the railroad tracks, said sums to be laid out by the board of trustees for state institutions, subject to the approval of the governor and council. The governor is hereby authorized to draw his warrant for said sums or such part of the same as required, on any money in the treasury not otherwise appropriated.

[Approved April 19, 1917.]

## CHAPTER 260.

JOINT RESOLUTION APPROPRIATING MONEY TO MAKE EFFECTIVE THE  
LAWS AGAINST BRIBERY AT ELECTIONS.

\$2,500 appropriated. Term "election" defined.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$2,500 appropriated. Term "election" defined.

THAT the sum of twenty-five hundred dollars be and the same is hereby appropriated for the biennial fiscal period ending August 31, 1919, to defray such expenses not now provided for by law as may be necessary for the prevention, detection, investigation, and prosecution of bribery at elections, to be expended under the direction and subject to the approval of the attorney-general; and the governor is hereby authorized to draw his warrants to defray such expenses as the bills for the same, approved by the attorney-general, shall be presented. The word "elections" shall be construed to include all elections by popular or legislative vote. This appropriation shall be made applicable to the enforcement of any and all laws pertaining to political bribery and corrupt practices.

[Approved April 19, 1917.]

## CHAPTER 261.

## JOINT RESOLUTION IN FAVOR OF HARRY C. JONES AND OTHERS.

Allowances to sundry persons.

*Resolved by the Senate and House of Representatives in General Court convened:*

Allowances to sundry persons.

THAT Harry C. Jones be allowed the sum of ten dollars (\$10) for expenses incurred in defending his right to a seat in this house; that Lewis Soule be allowed the sum of thirteen dollars and forty-five cents (\$13.45), George H. Sanderson be allowed the sum of thirteen dollars and forty-five cents (\$13.45), and Edward S. Downs be allowed the sum of twenty-four dollars and twenty-six cents (\$24.26), for defending their rights, severally, to seats in this house; that Alfred L. Marston be allowed the sum of fifty dollars (\$50) and that Wallace W. Dole be allowed the sum of thirty dollars (\$30), for defending their several rights to seats in this house.

[Approved April 19, 1917.]

## CHAPTER 262.

JOINT RESOLUTION FOR DISBURSEMENT OF PREVIOUS APPROPRIATION  
FOR FIRE PROTECTION.

Preamble; \$313.47 appropriated.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

WHEREAS, the general court of 1915 by the enactment of chapter Preamble.  
184 appropriated the sum of ten thousand dollars (\$10,000) to pay  
to the several towns the state's legal share of forest fire bills remain-  
ing unpaid for the years 1912 and 1913; and

WHEREAS, there remains in the state treasury unexpended from \$313.47  
the said appropriation the sum of three hundred thirteen dollars appropriated.  
and forty-seven cents (\$313.47); and

WHEREAS, there remains unpaid certain small fire protection  
obligations to towns for previous years other than the years 1912  
and 1913; therefore, be it resolved,

THAT the balance of said appropriation is hereby appropriated  
and made available to pay bills for fire protection upon the ap-  
proval of the forestry commission, and the governor is hereby  
authorized to draw his warrant for the same out of any money in  
the treasury not otherwise appropriated.

[Approved April 19, 1917.]

## CHAPTER 263.

JOINT RESOLUTION TO PROVIDE FOR THE PROBABLE INCREASED EXPENSES  
OF THE DEPARTMENTS AND INSTITUTIONS FOR THE YEAR ENDING  
AUGUST 31, 1918.

\$60,000 appropriated.

WHEREAS, by reason of the largely increased cost of maintenance, \$60,000  
incidentals, transportation and printing, a deficit will unavoidably appropriated.  
exist in many of the departments and institutions, and such a con-  
dition would be most serious, and ought to be provided for, there-  
fore be it

*Resolved by the Senate and House of Representatives in General  
Court convened:*

THAT the sum of sixty thousand dollars, or so much thereof as  
may be necessary, be and is hereby appropriated to meet said condi-



tions, and said sum shall be expended for such purpose under the direction and supervision of the governor and council in such manner and at such times as may best serve the purpose intended.

[Approved April 19, 1917.]

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## CHAPTER 264.

### JOINT RESOLUTION TO PROVIDE FOR THE ERECTION AND EQUIPMENT OF A DRILL SHED IN THE CITY OF DOVER.

\$13,000 appropriated.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$13,000  
appropriated.

THAT a sum not exceeding thirteen thousand dollars be and the same is hereby appropriated for the purpose of erecting and equipping a drill shed in the city of Dover for the use of the national guard located in said city: and the governor and council are hereby authorized to make all necessary contracts for construction, completion and equipment of the same, and said sum shall be expended under their direction.

This joint resolution shall take effect after the city of Dover shall have deeded to the state a site satisfactory to the governor and council, and shall be a charge upon the military appropriation made this session, and the governor is authorized to draw his warrant on said appropriation for said sum.

[Approved April 19, 1917.]

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## CHAPTER 265.

### JOINT RESOLUTION APPROPRIATING MONEY FOR IMPROVEMENTS AT THE STATE PRISON.

\$13,000 appropriated.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$13,000  
appropriated.

THAT the sum of thirteen thousand dollars be, and the same is hereby appropriated for improvements at the state prison, as follows: for providing and equipping mess hall, eight thousand dol-

lars; for replacing two worn out steam boilers, five thousand dollars; and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated, said sums to be laid out under the direction and supervision of the trustees of state institutions.

[Approved April 19, 1917.]

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## CHAPTER 266.

### JOINT RESOLUTION IN AID OF THE TOWN OF HAVERHILL IN BUILDING A BRIDGE ACROSS THE CONNECTICUT RIVER.

\$8,000 appropriated.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

THAT the sum of eight thousand dollars be and is hereby appropriated for state aid in the construction of the new highway bridge at Woodsville, and the governor is hereby authorized to draw his warrant to the town of Haverhill for the same out of any money in the treasury not otherwise appropriated.

[Approved April 19, 1917.]

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## CHAPTER 267.

### JOINT RESOLUTION TO PROVIDE FOR A BREAKWATER IN THE TOWN OF HAMPTON.

\$5,000 appropriated.

*Resolved by the Senate and House of Representatives in General  
Court convened:*

THAT the sum of five thousand dollars be and hereby is appropriated for the construction and repair of a breakwater to protect the state boulevard in the town of Hampton, and the governor is hereby authorized to draw his warrant for said sum out of any money not otherwise appropriated.

[Approved April 19, 1917.]

## CHAPTER 268.

JOINT RESOLUTION PROVIDING FOR AN APPROPRIATION FOR A HIGHWAY LEADING THROUGH PLAISTOW, FROM ATKINSON TOWN LINE TO MASSACHUSETTS STATE LINE.

\$1,000 appropriated, provided it be duplicated by town and citizens.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$1,000 appropriated, provided it be duplicated by town and citizens.

THAT the sum of one thousand dollars for the year ending August 31, 1918 is hereby appropriated, on condition that the sum of five hundred dollars shall be added by the town of Plaistow, and the sum of five hundred dollars shall be added by the citizens of Atkinson, or by local parties acting jointly or severally, for completing the highway in said Plaistow from the state line in Haverhill, Massachusetts, through Plaistow to the Atkinson town line. The said sums appropriated by the state and by the town of Plaistow and by local parties shall be expended under the direction of the highway commissioner, and the said sum appropriated by the state shall be a charge upon the appropriation for the permanent improvement of highways made by section 10, chapter 35, Laws of 1905. This road shall, after its completion, be included in the state aid road system of the town of Plaistow, and this joint resolution shall take effect upon its passage.

[Approved April 19, 1917.]

## CHAPTER 269.

JOINT RESOLUTION APPROPRIATING MONEY FOR IMPROVEMENTS AND EXTENSIONS AT THE NEW HAMPSHIRE STATE HOSPITAL.

\$15,750 appropriated.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$15,750 appropriated.

THAT the sum of fifteen thousand seven hundred and fifty dollars be and the same is hereby appropriated to provide for the completion and equipment of the Walker building, so called, at the New Hampshire State Hospital, as follows: \$12,500 to finish the attic of said new building; \$2,500 to build piazza to said Walker build-

ing, as shown on the plans; \$750 for miscellaneous purposes; viz: wire screening piazza. Said sums to be expended under the direction and control of the board of trustees of state institutions and said resolution shall take effect May 15, 1917.

[Approved April 19, 1917.]

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## CHAPTER 270.

### JOINT RESOLUTION RELATING TO MASON FIRE DAMAGE.

\$150 allowance to sundry persons.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one hundred and fifty dollars (\$150) be and hereby is appropriated for the payment of all damages from a fire which occurred in the town of Mason on May 11, 1916, said fire caused by burning brush on state land; and the state treasurer is hereby authorized to pay one hundred and twelve (\$112) thereof to Tracy A. Eaton of Mason, and thirty-eight dollars (\$38) thereof to Delmore P. Noble of Mason, in full for their several claims.

[Approved April 19, 1917.]

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## CHAPTER 271.

### JOINT RESOLUTION FOR THE TREATMENT OF PERSONS AFFLICTED WITH TUBERCULOSIS, PARTICULARLY IN THE ADVANCED STAGES.

Free beds established under the supervision of the state board of charities and correction; \$20,000 appropriated annually for two years.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT for the treatment of persons afflicted with tuberculosis, particularly in the advanced stages, who are unable to pay the cost of such treatment; and for the encouragement of the establishment and maintenance of sanatoria for the treatment of such persons,

Free beds established under the supervision of the state board of charities and correction.



the state board of charities and correction be and hereby is authorized to engage free beds in such sanatoria or other places as have been approved by the state board of health, for the treatment of such persons as the state board of charities and correction may specify. Indigent consumptives, citizens of the state, who are unable to pay any part of the cost of said treatment, may be admitted to said free beds by the authority of the secretary of the state board of charities and correction in accordance with the ordinary regulations of said sanatoria. Persons in needy circumstances who, by themselves, relatives or friends, are able to pay no more than part of the cost of said treatment, may be admitted to said sanatoria or other places and maintained and treated therein at the expense of the state to that extent that they cannot by themselves, relatives or friends chargeable therefor, pay cash cost of treatment, when the state board of charities and correction so certify; and said board shall stipulate the proportion the state shall assume to pay. This resolution shall not be construed so as to deprive any person to whom aid is rendered of any right that he may have at the time of his admission to said sanatorium. To pay the expenses of engaging said free beds and assisting persons in needy circumstances to treatment in said sanatoria, a sum not exceeding \$20,000 for each of the years 1917 and 1918 is hereby appropriated, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

\$20,000 appropriated annually for two years.

[Approved April 19, 1917.]

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## CHAPTER 272.

### JOINT RESOLUTION APPROPRIATING MONEY FOR REPAIRS ON THE STATE HOUSE.

\$8,850 appropriated.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$8,850 appropriated.

THAT the sum of eight thousand, eight hundred and fifty (\$8,850) dollars be appropriated for repairs on the state house, as follows: Repairing and painting of dome, \$1,000; remodeling treasurer's office, including fireproof vault and steel filing case at \$1,000—\$5,000; drinking fountain for first floor with ice-box and coil in basement, \$250; wire lath and plaster basement ceiling including necessary electric wiring, \$1,000; repairing fire stop door between old building and annex, \$200; glass and grills for State street en-

trance doors, \$400 ; new revolving front doors, \$1,000 ; and the governor is authorized to draw his warrant therefor, on any money in the treasury not otherwise appropriated.

[Approved April 19, 1917.]

CHAPTER 273.

JOINT RESOLUTION TO PROVIDE FOR DEFICIENCIES IN CERTAIN STATE DEPARTMENTS, FOR THE YEAR ENDING AUGUST 31, 1917.

\$78,425 appropriated.

WHEREAS, by reason of the largely increased cost of maintenance, incidentals and transportation, a deficit that is unavoidable exists or is imminent in many of the state departments and should be provided for ;

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sums herein named, or so much as may be necessary, be <sup>\$78,425</sup> and hereby are appropriated to meet said deficiencies: To wit: <sup>appropriated.</sup>

For legislative department.....	\$25,000
Executive department .....	3,950
Secretary of state department.....	2,050
State house department.....	4,600
Nesmith fund, interest.....	3,700
Insurance department .....	500
Attorney general's department.....	600
State hospital .....	30,000
State sanatorium .....	2,500
Public instruction .....	500
State prison .....	2,500
Bureau of labor.....	300
School for feeble-minded.....	1,500
Bank department .....	200
Board of health.....	225
Vital statistics, \$200, laboratory of hygiene, \$100.....	300
	<hr/>
	\$78,425

And the governor is authorized to draw his warrant therefor, on any money in the treasury not otherwise appropriated.

[Approved April 19, 1917.]

## CHAPTER 274.

JOINT RESOLUTION APPROPRIATING MONEY FOR THE NEW HAMPSHIRE  
COLLEGE OF AGRICULTURE AND THE MECHANICS ARTS.

\$113,156.32 appropriated for use during next two years.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$113,156.32  
appropriated for  
use during next  
two years.

THAT the sum of one hundred and thirteen thousand, one hundred fifty-six dollars and thirty-two cents (\$113,156.32) be and the same is hereby appropriated for the New Hampshire College of Agriculture and the Mechanic Arts, said appropriation to be expended as follows: One hundred thousand dollars of said appropriation is to be expended for the erection and equipment of a commons, said building to be erected under the direction and supervision of the governor and council from plans approved by the trustees of the college, of which sum fifty thousand dollars shall be due and available for the year ending August 31, 1918, and the balance, (\$50,000) for the year ending August 31, 1919.

That thirteen thousand one hundred fifty-six dollars and thirty-two cents of said total appropriation is appropriated for co-operative agricultural extension work under the provision of the Smith-Lever act, viz. \$5,689.22, for the year 1917-18, and \$7,467.10, for the year 1918-19.

The governor is hereby authorized to draw his warrants for said sums, viz. \$55,689.22 for the year ending August 31, 1918, and \$57,467.10, for the year ending August 31, 1919, out of any money in the treasury not otherwise appropriated.

[Approved April 19, 1917.]

## CHAPTER 275.

## NAMES CHANGED.

From January, 1915, to January, 1917, the registers of probate returned to the secretary of state the following names changed by the probate court:

## Rockingham.

Rockingham county—Marion H. Dow to Marion H. Page; William H. White to William Henry Brown; Isabelle May Smith to Isabelle May Orne; Philip Joyce to Philip Moulton; Mabel Faith Lewis to Mabel Faith Chadwick; Edith Frances Lewis to Edith

Frances Chadwick; Beatrice Hennigan to Nona Beatrice Odiorne; Mildred Faunce to Mary Annie Mildred Knack; Robert King Pilgrim to Robert King Brayman; Robert French to Robert Alden Bailey; Clara Caron to Doris Edith Wright; Laura R. Ramsdell to Laura Elizabeth Wentworth; Marston Seavey to Marston Seavey Fenwick; Emma A. Chapman to Emma A. Thomas; Elizabeth A. Brown to Elizabeth A. Brigham; Bessie Mildred Carroll to Bessie Mildred Chaplin; Alice J. Fernald to Alice J. Campbell; Una Gladys Call to Una Gladys Dudley; Julius Einstein to Albert Klein; Ethel Douglas to Evelyn C. Hobbs; Hudger Rondeau to Ludger Rondeau.

Strafford county—Addie Gertrude Hurd to Adelaide Gertrude <sup>Strafford.</sup> Hurd; Burton D. Hull to Harold Eaton Canney; Edith I. McDen-nett to Edith I. Chute; Mary Pingree Harris to Mary Pingree; Birdie M. Whitten to Beatrice M. Kimball; Donald James Purtee to Charles Clifford Brock (adpt.); Minnie B. Lucas to Marie B. Lucas; Marie Louise Cole to Marie Louise Cole (adpt.); Vernon Mason Fairbrother to Vernon Mason Wentworth (adpt.); Thelma Pearl Fairbrother to Thelma Pearl Wentworth (adpt.); Evelyn Louise Smith to Evelyn Garland (adpt.); Eliza E. Tornoto to Eliza E. Berry; Robert Stanley Willand to Robert Stanley Wil-lard; Sarah R. Green to Sarah R. Willey; Pearl Glendine Andrews to Pearl Glendine Howe; John Francis Hurd to John Francis Hurd (adpt.); Grace M. Shorey Sleeper to Grace M. Sleeper; Lillian Mabel Nightengale to Eva Mabel Downing.

Belknap county—George Scott to Daniel William Barrett <sup>Belknap.</sup> (adpt.); Jose Marjorie Grieve to Jose Marjorie Bowman; Electa O. Allen to Electa O. Osgood; Belle Johnson to Mary Fiske Hub-bell (adpt.); Morris Lambert to Morris Lambert Tebbetts (adpt.); Gretchen H. F. Dunn to Grechen Hortense Fifield; Ruth Inez Shaw to Ruth Inez Weeks (adpt.); Agnes L. Gordon to Agnes L. Clem-ent (adpt.); Marguerite Geraldine Pond to Geneva Hortense Gold-smith (adpt.); Teresa Isabelle Smith to Isabelle Irene Carr (adpt.); Clarence Herbert Smith to John Angus Gunn (adpt.); Theron John Tracy to Theron Lowell Bailey.

Carroll county—John Edward Brown to Edmund Bickford Em- <sup>Carroll.</sup> erson; Beatrice Bickford to Beatrice Clough; Alice May Blake to Alice May Snow; Frank Hosszu to Frank Long; Lyle Hill to Flor-ence Hill Paine; Maude C. Morse to Clara Maude Quimby; Eleanor Marsh to Luella W. Blaisdell; Eva P. Nichols to Eva P. Perkins; Lena A. Wentworth to Lena E. Avery; Beatrice P. Rem-ick to Beatrice P. Morgan; Viola Thurston to Viola Kenison; Leon Forest Wentworth to Leon Forest Moors; William Wright to William Guptill.

Merrimack county—Franklin F. Haslam to Franklin Fenton <sup>Merrimack.</sup> Brown; Elva Louise Benton to Elva Louise Benton Knights; Ray-mond Elsworth Wells to Raymond Henry Boulrisse; Lena May



Blanchard to Lena May Morey; Kenneth John Cole to Kenneth John Osgood; Ethel Viola Peterson to Ethel Louise Ash; Chauncey E. Berry to Chauncey E. Littlefield; Maxine Louise Downing to Maxine Louise Wiggin; Kathleen Morrison to Mary Kathleen Williams; Sarah Galeter Smart to Sadie Galeter Dewhurst; Martha S. Bickford to Martha S. Dolloff; Beatrice M. Parmenter to Beatrice May Colby; Gertrude Debois to Gertrude Dubois Edgeworth; Earl Ira Bond to Earl Ira Felch; Albert Alfred West to Paul Douglas Tucker; Bridget Craig to Bertha Craig; Iva M. Chamberlain to Iva M. Fletcher; Asa Johnson Nichols to Asa Goodhue Johnson; Cora Ardelle Nichols to Cora Ardelle Johnson; Evelyn Cleveland Nichols to Evelyn Cleveland Johnson; M. Belle Blood to M. Belle Nichols; Cora B. Longley to Cora B. Lakin; Susie Tobyne to Susie Smith; Georgia A. Greenleaf to Georgia A. Carter; Dorothy Ada Hines to Dorothy Flanders.

Hillsborough.

Hillsborough county—Charles Douglas Bean to Charles Douglas Still; Betsey Jane Bryer to Betsey Jane Fellows; Belle Eliza Clement to Daisy Eliza Clement; Isabell C. Jones to Isabell C. Berry; George E. Barnes to Harry E. Mansfield; Kazimiras Zilinskas to Charles Richards; Ethel G. Lake to Ethel G. Jenkins; Jennie B. Sawyer to Jennie B. Shattuck; Florence A. Bullard to Florence A. Dicey; Emma A. Mugridge to Emma A. Smith; Harry Granger Strang to Harry Granger McNeil; Ethel L. Mayotte to Ethel L. Gates; Philisa Exior Daigneault to Philisa Veasey Daigneault; Harry A. Gregg to Harry Alan Gregg; Isaac Cohen to Albert Edward Sherman; Lillian F. Labbie to Lillian F. Waterman; Elizabeth Frances Dewitt to Elizabeth Frances Wilson; Catherine O'Neil to Catherine Leary; John O'Neil to John Leary; Carlton Grant Prince to Edward Carlton Grant; Stanislaw Mucha to Stanislaw Mellek; Nellie W. Snow to Penelope Wellington Snow; James Cummings Barr, Jr. to Henry Crocker Barr; Myrtle Mae Rich to Myrtle Mae Corey; Rotha L. Golden to Rotha L. Frost; Nils D. Bjorklund to Nils D. Lund; Beatrice Alberta Gould to Beatrice Alberta Woods; Georges Fortin Chase to Georges Fortin; James Philip Brown to James Irving O'Brien; Clara Beliveau to Marie Antoinette Brulotte; Annette Beliveau to Annette Paquette; Edna Beliveau to Edna Paquette; Carolina Ciampa to Carolina Ciampa Ambrosino; William Bernard Ferguson to William Ferguson Barry; Kenneth Richard Stewart Clow to Kenneth Clow Doonan; Norman Cunningham to Norman Addison Brown; Marie Yvonne Diana Gregoire to Yvonne Odese; Charles Egbert Couitt to Charles Egbert Poulin; Ludger Gagnon to Ludger Corriveau; Ralph Arvin Hunting to Ralph Don LaBarm; Elizabeth Grobsgaard to Elizabeth Long; Helen Grace McDuffee to Helen Grace McDuffee Barnard; Howard Earle Crane to Howard Earle Smith; Dorothea Leighton to Dorothea Fischer; Charles William Bartlett to Charles William Annis; Francis Glomboski to Francis Grem-

boski; Pauline Manning to Mary Rehas; Marion Elizabeth Tennant to Marion Elizabeth Rogers; Harry M. Cain to Harry Cain Robinson; Henry Patvin to Vasilios Horianopoulos; Mabel Helen Roberts to Mabel Helen Whitney; Edna Lillian Thorpe to Jennie Susan Martin; Wilbur Llewellyn LaPage to Wilbur Llewellyn Harrington; Albina Cote to Albina Chiasson; Christina Doris Leveillee to Antoinette Marie Paradis; Wilbur Lunt to Wilbur Gowen Milliken; Althea Winona Ryalls to Hazel Avis Wylie; Virginia Harris to Virginia Lea.

Cheshire county—Walter Myron to Walter Myron Woods; Nellie Cheshire. Dorothy Miller to Majorie Allen; Alfred Oinonen to Alfred Matson; Ethel May Wellman to Ethel May Senneff; Ada Louise Bardwell to Harriet Louise Austin; Ruth May Durkee to Ruth May Austin; Emma Perkins to Emma Paquins; Roger Griswold Southwick to Roger Griswold Wright; Manda Louise Smith to Manda Louise Johnson; Dorothy May Ellison to Dorothy May Patterson; Charlotte M. Parker to Charlotte Parker Flag; Margaret Estella Sears to Margaret Hathaway; Esther Jennie Smith to Esther Jennie Palmer; Florence May Trombley to Florence May Neddo; Ethel May Larabee to Ethel May Kenney; Barbara Kirke Masi to Barbara Kirk; Paul Ruthven Roundy to Paul Champion Roundy; Daisy A. Gay to Daisy A. York.

Sullivan county—Josephine Fowler to Josephine Marion Parkin; Sullivan. William Carl Wright to William Francis Wood; May Pierce Hale to May Augusta Pierce; Emily Munro to Emily Heath.

Grafton county—Eva Belle Ash to Ona Belle Avery; Phoebe Grafton. Bowen to Garnet Phoebe Elizabeth Gibson; Edward Baker to Edward C. Belanger; Gordon Royal Bettinger to Gordon Royal Distin; Ruth Brunell to Ruth Catherine Brunell; Jennie Bowen to Elizabeth L. Matthew; Clarence Earl Crockett to Clarence E. Robinson; Effie L. Crockett to Effie L. Robinson; Edward Hedges Cornell to Edward Bertrand Cornell; Elsie Downing to Elsie Lulu Ibey; Dorothy G. Huckins to Dorothy Grace Page; Celia L. Huckins to Celia Lenora Huckins; Calvin H. Huckins to Calvin Harry Huckins; Mildred L. Hutchins to Mildred E. Jewett; Jason Hoyt to Robert John Matthew; Robert Donald Hall to Donald Desley; Berton Morris Hood to Berton Morris Keniston; Albert Alfred Lewis to Albert Lewis Mardin; Helena Lawson to Helen Mae Nuton; Gladys Ruth Malmberg to Gladys Ruth Page; Adella E. Mason to E. Adella Shaw; Lena E. Merrill to Beatrice O. Robinson; Freda Mae Mann to Freda Mae Eastman; Joseph McKinley to William Allen Sweet; Pearle Lucy Morgan to Virginia Ida Carbee; Frank C. Rattee to Frank C. Lashway; Eva Mabelle Roy to Eva Mabelle Anderson; Samuel Stolovsky to Samuel Stahl; James Storey to Arthur Marston Hadley; Harold G. Slighter to Leon Slighter Nichols; Marjorie M. Sanborn to Marjorie M. Sanborn; Daisy Snell to Daisy Belle Spence; Kenneth M. Towers to Kenneth Maurice Wilbur Towers;

Mildred K. Tomlinson to Mildred Kirkland Wood; Blanche Frances Tupper to Blanche Frances Reed; Margaret Vanner to Margaret Lydia Pierce; Harold Watson to Philip Charles Johnson; Charles Weld to Charles Erasmus Ritchie; Burleigh Wyman to William Byron Smith; Oraville G. Wendell to Wendell G. Oraville.

Coös.

Coös county—Verna Rae Nichols to Verna Rae Newman; Linwood Stanley Wilkinson to Linwood Stanley Johnson; William Corbin Brawn to William Richardson Corbin; Louald Malia to Donald Hall; John Larsson to John L. Lawson; Cecil P. Coombs to Malcom Allen McCullough; Hyman Dooskin to Hyman Davis; Frank Blake Emery to Frank Blake Woodward; Frances Jones Smith to Roy Gunnerson; James George Murphy to James George Lezotte; Ethel Mandy Dow to Ethel Olive Dow; Patrick Derusha to Eddie L. Moulton.

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From January, 1915, to January, 1917, the registers of probate returned to the secretary of state the following names changed by the superior court in divorce proceedings:

Rockingham.

Rockingham county—Etta M. Frye to Etta M. Curtis; Ina L. Raether to Ina L. Goodrich; Ida M. Murray to Ida M. Chaisson; Edythe R. Turner to Edythe R. Dearborn; Etta M. Winslow to Etta M. Merrick; Mary T. Robinson to Mary L. L. Tucker; Edna M. Vezina to Edna May Roberts; Bertha E. Talbot to Bertha E. Davis; Florence G. Thurston to Florence G. Canavan; Lucy A. Seay to Lucy A. Fisher; Josephine M. Ramsdell to Josephine M. Dudley; Helena M. Clark to Helena M. Norton; Mary Merrifield to Mary Wilcox; Florence J. McKenney to Florence J. Gunn; Ida R. Noyes to Ida P. Rand; Irene G. Arthur to Irene G. Welch; Phyllis R. Salters to Phyllis Reed.

Strafford.

Strafford county—Eva W. Willet to Eva W. Willand; Vera M. Lowell to Vera M. Crediford; Myrtle Kanoski to Myrtle Seeggell; Elizabeth Huneau to Elizabeth M. Phillips; Eleanor Frances Hull to Eleanor Frances Blaisdell; Ethel Day Chisholm to N. Ethel Day; Gertrude I. Miller to Gertrude I. Montgomery; Emma Sheehy to Emma Rowe; Helen M. McCarthy to Helen M. Derby; Jessie M. Niles to Jessie M. Chapman; Maud Vivian Jordon to Maud Vivian Livingston; Blanche C. Colbath to Blanche C. Hussey; Mae C. Young to Mae C. Quinn; Mary Ellen Butler to Mary Ellen Nutter; Ethel E. Frost to Ethel E. Corson.

Belknap.

Belknap county—Arthemise Vallancourt to Martha King; Sophia R. Kimball to Sophia R. Green; Jennie M. Duffy to Jennie M. Blair; Maude Whitecomb Brown to Maud Whitcomb; Bertha Perkins Tufts to Bertha Perkins; Bernice Goodell Brisebois to Bernice Lydia Elizabeth Goodell; Elanor J. Lougee to Elanor J. Gove.

Carroll.

Carroll county—Ella Davis to Ella Matthews; Marion F. Marshall to Marion F. Hayes.



Merrimack county—Emma R. Savagcau to Emma R. Pichette; <sup>Merrimack.</sup>  
Adelle Adams Hoyt to Adelle Adams; Blanche M. Currier to  
Blanche M. Healey; Jennie Oxtoby to Jennie Henshaw; Frances  
E. Dymont to Frances E. Crowther; Mary E. Vigneault to Mary  
E. Parker; Marinda A. Ellis to Marinda A. Moore; Edith M. Nut-  
ting to Edith M. Deos; Maude C. Campbell to Maude E. Calley;  
Carrie A. Woodward to Carrie A. Fowler; Olive G. Livingston to  
Olive G. Brooks; Susie Hilda Morrill to Susie H. Drake; Lavinia  
Helen Mereure to Lavinia H. Schermerhorn; Mary Baker to Mary  
Huggins; Eva L. Blake to Eva L. Hall; Christie A. Bland to  
Christie A. Bean; Bertha P. Morse to Bertha P. Engel.

Hillsborough county—Annie E. Burke to Annie E. Waterfield; <sup>Hillsborough.</sup>  
Anna Kennedy to Anna Davis; Lotta Clifford Davis to Lotta Clif-  
ford; Annie Lucy Monbleau to Annie Lucy Dennen; Bertha T.  
Maloon to Bertha Towle; Ogida Kassabian to Ogida Attarian;  
Bertha M. Raby to Bertha M. Wilkins; Dorothy Potvin to Dorothy  
Chilecott; Alice H. Ford to Alice G. Hunneyman; Marie Bellemare  
to Marie Arseneau; Effie T. Winter to Effie Thompson; Fannie M.  
Gove to Fannie M. Huntoon; Mae E. Grant to Mae E. Longa; Rose  
M. Robert to Rose M. Boisvert; Edith M. Gloddy to Edith M.  
Tetreault; Mary Mabel Soule to Mary M. Marquis; Lucie A. La-  
favor to Lucie A. Packard; Agnes Josephine Cutler to Agnes  
Josephine Mugridge; Edith G. Jameson to Edith G. Towns; Susan  
B. Sylvester to Susan B. Foster; Elizabeth Descalopulos to Eliza-  
beth Beliveau; Delphine Haynes to Delphine Guerin; Gladys Z.  
Gleason to Gladys Z. Parsons; Angie Towle to Angie Melden;  
Grace L. Garney to Grace L. Croy; Etta May Nealey to Etta May  
Hanscom; Willette S. Grover to Willette S. Silvernail; Ethel  
Beadle to Ethel Rich; Florida Dubuc to Florida Druin; Agnes M.  
Blood to Agnes M. Weaver; Harriet C. Hambleton to Harriet M.  
Curren; Harriett M. Myers to Harriett M. Templeton; Angelina  
Hamel (alias Angelina Emery) to Angelina Racine; Jennie M.  
Worthen to Jennie M. Moulton; Alice B. Dudley to Alice B. Major;  
Dora DeGrandmaison Denis to Dora DeGrandmaison; May A. Lan-  
dry to May A. Dubray.

Cheshire county—Laura L. Buckwold to Laura L. Harper; Clara <sup>Cheshire.</sup>  
A. Seitzinger to Clara A. Findon; Lillian A. Sheldon to Lillian A.  
Provoncher.

Sullivan county—Edith M. Grandlemere to Edith M. Kennedy; <sup>Sullivan.</sup>  
Kate Chadwick to Kate Colston; Mary A. Johnson to Mary A.  
Hart; Eva A. Morris to Eva A. Carey; Helen F. Fredrick to Helen  
F. Bradbury; Mabelle E. Poore to Mabelle E. Blaisdell; Marabel  
Ruth Bickford to Marabel Ruth Rugg.

Grafton county—Mary E. Webster Quint to Mary E. Webster; <sup>Grafton.</sup>  
Emily A. Heath to Emily A. Severance; Bernice F. Williams to  
Bernice F. Rathburn; Victoria M. Heath to Victoria M. McIntyre;  
Alma M. Valley to Alma M. Gerald; Eveline L. Langmaid to Eve-



line Lillian Allen; Cordelia L. Greenwood to Cordelia Lalonde; Catherine Cadarette to Catherine Carpenter; Elsie Corey to Elsie Taylor; Sarah M. Bramble to Sarah M. Barnes; Ella M. King to Ella M. Robinson; Ineze Kelley to Ineze Irwin; Stasia La Porte to Stasia Brodjensky; Mary Alice Waite to Mary A. Corey; Ethel E. Lougee to Ethel E. Simonds; Lillian Ellingwood to Lillian Bryant; Alicia A. Tetreau to Alicia McArthur; Grace A. Barney to Grace A. Safford; Julia C. Leigh to Julia C. Thompson; Nina Lidia Simpson to Nina Lidia Wright; Alice F. Glines to Alice F. Severance; May W. Laughlin Stearns to May W. Laughlin; Winifred Tobyne to Winifred Cook; Julia Ardell French to Julia Ardell Ploof; Edna M. Richards to Edna M. Clark; Margaret Morrison Ruiter to Margaret Morrison.

Coös,

Coös county—Ina E. Buskett to Ina Ruth Brooks; Marie Berry to Marie Mahurin; Nina Agnes Sun to Nina Agnes Boutwell; Julia Elizabeth Larue to Julia Elizabeth Haynes; Grace H. Noyes to Grace Helene Bass; Lena Mae Walker to Lena Mae Brown.

# PRIVATE ACTS.

## CHAPTER 276.

AN ACT TO LEGALIZE THE BIENNIAL ELECTIONS HELD ON THE SEVENTH DAY OF NOVEMBER, 1916, IN THE TOWNS OF WILTON, BETHLEHEM, SUTTON AND NORTHWOOD.

### SECTION

1. Votes and proceedings legalized.

### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the votes and proceedings at the biennial elections held on the seventh day of November, 1916, in the towns of Wilton, Bethlehem, Sutton and Northwood be and hereby are legalized and confirmed. Votes and proceedings legalized.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved January 30, 1917.]

## CHAPTER 277.

AN ACT TO FACILITATE THE UNION OF MEMBERS OF BAPTIST AND FREEWILL BAPTIST CHURCHES OF NEW HAMPSHIRE INTO A COMMON ORGANIZATION. AND IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE BAPTIST CONVENTION OF THE STATE OF NEW HAMPSHIRE," PASSED JUNE 24, 1826, AMENDED JUNE 29, 1860, FEBRUARY 23, 1897, FEBRUARY 20, 1901, FEBRUARY 22, 1911, AND FEBRUARY 21, 1913.

### SECTION

1. Name of convention changed.
2. May hold property not exceeding \$800,000.
3. Constitution of convention, to contain what.

### SECTION

4. Convention may act as trustee for Freewill Baptist Society.
5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The name of the New Hampshire Baptist Convention is hereby changed to United Baptist Convention of New Hampshire. Name of convention changed.

May hold  
property not  
exceeding  
\$800,000.

SECT. 2. Said corporation shall have power to receive and hold property real and personal, for all the purposes and subject to all the provisions of said acts to an amount not exceeding eight hundred thousand dollars instead of five hundred thousand dollars as provided by chapter 298, session Laws of 1913.

Constitution of  
convention, to  
contain what.

SECT. 3. The constitution of the United Baptist Convention shall provide for equal rights and privileges of membership therein to members of Baptist and Freewill Baptist (or Free Baptist) churches of New Hampshire.

Convention may  
act as trustee  
for Freewill  
Baptist Society.

SECT. 4. Said United Baptist Convention of New Hampshire is hereby authorized to hold and administer as trustee in accordance with the terms of the trust any property or funds now held or hereafter held which shall be entrusted to it by any Freewill Baptist (or Free Baptist) church in this state or by the New Hampshire Yearly Meeting of Freewill Baptists. And said churches and the New Hampshire Yearly Meeting are hereby authorized to make such transfers.

Repealing clause;  
takes effect on  
passage.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved January 30, 1917.]

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CHAPTER 278.

AN ACT TO AUTHORIZE THE WHITEFIELD VILLAGE FIRE DISTRICT TO  
REFUND ITS BONDED INDEBTEDNESS.

SECTION

1. Bonded indebtedness not exceeding  
\$50,000 to be refunded, how.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Bonded  
indebtedness  
not exceeding  
\$50,000 to be  
refunded, how.

SECTION 1. That the Whitefield Village Fire District of Whitefield, established under chapter 167 of the session Laws of 1893, is hereby authorized and empowered at any regular meeting of said district, or special meeting called for that purpose, by a majority vote of those present and voting, to refund its bonded indebtedness by an issue of bonds, not in excess of fifty thousand dollars, payable at such times, not to exceed twenty years from the date of issue, and at such rates of interest, not in excess of four per cent. per annum, as shall be voted at such meeting.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 13, 1917.]

CHAPTER 279.

AN ACT TO AUTHORIZE THE WARNER VILLAGE FIRE DISTRICT TO REFUND ITS BONDED INDEBTEDNESS.

SECTION

1. Bonded indebtedness not exceeding \$17,000 to be refunded, how.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the Warner Village Fire District of Warner, established under chapter 53 of the Public Statutes, is hereby authorized and empowered at any regular meeting of said district, or special meeting called for that purpose, by a majority vote of those present and voting, to refund its bonded indebtedness by an issue of bonds, not in excess of seventeen thousand dollars, payable at such times, not to exceed twenty years from the date of issue, and at such rates of interest, not in excess of four per cent. per annum, as shall be voted at such meeting.

Bonded indebtedness not exceeding \$17,000 to be refunded, how.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 13, 1917.]

CHAPTER 280.

AN ACT TO EXEMPT THE HOME OF THE FRIENDLY CLUB FROM TAXATION.

SECTION

1. Land on Main Street, Concord, exempt from tax.

SECTION

2. Takes effect on passage.

WHEREAS, the Friendly Club, a corporation organized under the general law, owns and occupies a lot and buildings thereon on Main street in the city of Concord, the funds for the purchase of said lot and buildings having been donated to said association to be used for its purposes; and

Preamble.

WHEREAS, it is a charitable association, is non-sectarian, and its object is to provide a social center and home for young working women, or women receiving very low salaries, and to establish, maintain, and support a settlement for social, educational and moral enlightenment; therefore,

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The lot of land above described, with improvements thereon, shall be exempt from taxation so long as and to the extent that it is used for the purposes of said association.

Land on Main Street, Concord, exempt from tax.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 16, 1917.]



## CHAPTER 281.

AN ACT TO AUTHORIZE THE NEW HAMPSHIRE FIRE INSURANCE COMPANY TO INSURE AGAINST MARINE DISASTER, NAVIGATION AND TRANSPORTATION HAZARDS AND DAMAGE OR LIABILITY RESULTING TO OWNERS OF MOTOR VEHICLES FROM THEFT, COLLISION OR OTHER CASUALTY.

## SECTION

1. Authority given.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority given.

SECT. 1. In addition to the powers now possessed by law by the New Hampshire Fire Insurance Company, said company is hereby authorized and empowered to make and effect insurance on vessels, cars or other vehicles, freight, goods, effects and money loaned on bottomry or respondentia, against loss or damage resulting from the perils of the sea and other perils usually insured against by marine insurance or from the risks and hazards of inland navigation and transportation; and insurance on motor vehicles, their fittings and contents and use and occupancy, against loss or damage resulting from accident, theft, collision or other casualty, and against liability of the owner or user thereof for injury or damage to property caused thereby.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1917.]

## CHAPTER 282.

AN ACT TO LEGALIZE THE BIENNIAL ELECTIONS HELD ON THE SEVENTH DAY OF NOVEMBER, 1916, IN THE TOWNS OF ALTON AND TROY.

## SECTION

1. Votes and proceedings legalized.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Votes and proceedings legalized.

SECTION 1. That the votes and proceedings of the biennial elections held on the seventh day of November, 1916, in the towns of Alton and Troy be and hereby are legalized and confirmed.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1917.]

## CHAPTER 283.

## AN ACT IN AMENDMENT OF THE CHARTER OF THE PAGE BELTING COMPANY.

## SECTION

1. Capital stock authorized to \$1,000,000.

## SECTION

2. Repealing former limitation of \$500,000 of property which company could hold; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The Page Belting Company is hereby authorized and empowered from time to time to increase its capital stock to an amount not exceeding one million dollars. Capital stock authorized to \$1,000,000.

SECT. 2. So much of the charter of said corporation, approved July 3, 1872, as limits the amount of property which it is authorized to hold to five hundred thousand dollars, is hereby repealed; and this act shall take effect upon its passage. Repealing former limitation of \$500,000 of property which company could hold; takes effect on passage.

[Approved February 20, 1917.]

## CHAPTER 284.

## AN ACT TO INCORPORATE THE ANNIE E. WOODMAN INSTITUTE.

## SECTION

1. Corporation constituted.
2. Purposes.
3. Authorized to hold property of the value of \$200,000.
4. Invested and permanent funds.

## SECTION

5. Control vested in trustees, who may make by-laws.
6. Act takes effect on passage. Corporation exempt from taxation; and from P. S., ch. 14, s. 5.
7. Right to repeal, etc., reserved.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That Daniel Hall, Elisha R. Brown, and Charles S. Cartland, all of Dover in the county of Strafford, their associates, successors and assigns, be and are hereby made a body corporate by the name of the Annie E. Woodman Institute, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and are hereby vested with all the rights and privileges, and subject to all the liabilities incident to corporations of a similar nature. Corporation constituted.

**Purposes.**

SECT. 2. This corporation is created for the purpose of establishing and conducting an institution in the city of Dover for the prosecution of historical study, the promotion of education in science and art, and the diffusion and dissemination of general knowledge.

Authorized to hold property of the value of \$200,000.

SECT. 3. The said corporation is hereby empowered to purchase, have, and hold such real and personal estate as may be deemed necessary for the purposes of said corporation, to an amount not exceeding the sum of two hundred thousand dollars, and the same may sell, alienate and dispose of at pleasure.

Invested and permanent funds.

SECT. 4. The invested or permanent funds of said corporation shall not exceed two hundred thousand dollars, the sum of one hundred thousand dollars, with which the corporation is authorized to commence business having already been contributed, furnished, and paid in by the late Annie E. Woodman of said Dover, deceased, and expended by said Daniel Hall, Elisha R. Brown, and Robert G. Pike, executors and trustees under her will, in the purchase of real estate, furnishings, and equipment of the institution herein described, which is known by that name, and already carried on by said trustees for the benefit of the people of Dover, and having no right or purpose of profit, gain or emolument by way of dividends, or otherwise, to any of its donors or otherwise, but carried on and its means and facilities used solely for a charitable, benevolent and educational purpose, free of charge to the public or its beneficiaries.

Control vested in trustees, who may make by-laws.

SECT. 5. The control and management of said corporation is vested exclusively in the trustees who are herein named, who may make all such by-laws, rules and regulations for the government and management of the same as may seem to them necessary and expedient, and not inconsistent with the provisions of said will.

Act takes effect on passage. Corporation exempt from taxation; and from P. S., ch. 14, s. 5.

SECT. 6. This act shall take effect on and after its passage and the corporation hereby created shall be exempt from taxation, and shall be exempt also from the provisions of section 5 of chapter 14 of the Public Statutes.

Right to repeal, etc., reserved.

SECT. 7. Any future legislature may alter, amend, or repeal this act when it is made to appear that the public good requires it.

[Approved February 21, 1917.]

## CHAPTER 285.

AN ACT TO EXEMPT FROM TAXATION THE STAR ISLAND PROPERTY OWNED AND USED BY THE UNITARIANS FOR RELIGIOUS AND EDUCATIONAL PURPOSES.

## SECTION

1. Exemption established; duration.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. All the real estate, building or buildings including fixtures now owned by the Star Island Corporation being the island known as Star Island situated in the Atlantic Ocean and being included within the town limits of the town of Rye and used for religious, educational and kindred purposes by the Unitarian denomination for Unitarian summer meetings, with such improvements as may be made thereon, shall be exempt from taxation so long as they are used for such religious and educational purposes.

Exemption  
established;  
duration.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved February 21, 1917.]

## CHAPTER 286.

AN ACT IN AMENDMENT OF CHAPTER 168 OF THE SESSION LAWS OF 1889, ENTITLED "AN ACT TO INCORPORATE DIVISION NO. 1 OF THE ANCIENT ORDER OF HIBERNIANS OF THE CITY OF MANCHESTER."

## SECTION

1. Authorized to hold property of the value of \$200,000.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 2 of said chapter 168 of the session Laws of 1889 by striking out the word "twenty-five" after the word "exceeding" and inserting in place thereof the words two hundred, so that said section, as amended, shall read as follows:

Authorized to hold  
property of the  
value of \$200,000.

SECT. 2. Said corporation shall have power to hold real and personal estate, by gift, bequest, or otherwise, to an amount not exceeding two hundred thousand dollars, and may dispose of the same at pleasure.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved February 21, 1917.]



CHAPTER 287.

AN ACT TO INCORPORATE THE TIMBER LANDS MUTUAL FIRE INSURANCE COMPANY.

SECTION	SECTION
1. Corporation constituted.	6. Insurance; policyholders members of corporation during existence of policy.
2. Purposes and powers.	7. Right to repeal, etc., reserved; takes effect on passage.
3. Directors.	
4. By-laws.	
5. Capital stock; dividends. Guaranty capital, and taxation thereof.	

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation constituted.

SECTION 1. That Everett E. Aney of Portland, Me., Robert P. Bass of Peterborough, N. H., W. R. Brown of Berlin, N. H., Geo. B. Leighton of Dublin, N. H., George Hewitt Myers of Washington, D. C., H. G. Philbrook of Plymouth, Mass., E. Bertram Pike of Pike, N. H., and Jason E. Tolles of Nashua, N. H., their associates, successors and assigns be and they hereby are incorporated and made a body politic by the name of Timber Lands Mutual Fire Insurance Company, to be located in Concord, New Hampshire, with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, for the purpose of making and effecting insurance against loss and damage upon property by fire, lightning or other destructive elements or causes.

Purposes and powers.

SECT. 2. The corporation may issue policies of insurance containing stipulations or agreements providing for the assessment of its policyholders when necessary for the payment of the liabilities of the corporation, or for the purpose set out in section 5 of this act. The amount of such liability to assessment shall be limited in the policies so issued, but such contingent liability of a member shall not be less than an amount equal to and in addition to the cash premium mentioned in the policy.

Directors.

SECT. 3. The management and affairs of the corporation shall be vested in a board of directors chosen at the first meeting or subsequent meetings of the corporation, who shall act in accordance with the by-laws of the corporation and the laws of the state.

By-laws.

SECT. 4. Said corporation at any meeting or meetings duly held may adopt all such by-laws and regulations as shall be convenient or necessary for the proper management of the business and concerns of the corporation within the limits of authority conferred by this act.

Capital stock; dividends. Guaranty capital, and taxation thereof.

SECT. 5. Said corporation may establish a guaranty capital of not less than \$25,000 nor more than \$200,000 divided into shares of \$100 each. The stockholders of the guaranty capital shall be entitled to cumulative dividends of not more than 3½ per cent. semi-annually on their respective shares if the net profits or unused

premiums, left after all expenses, losses and liabilities then incurred, with the reserve for re-insurance are provided for, shall be sufficient to pay the same. The guaranty capital shall be applied to the payment of losses only when the company has exhausted its surplus over all liabilities, and when impaired, the directors may make good the whole or any part of it by assessments upon the contingent funds of the company on the date of such impairment; *provided* that any funds advanced by the stockholders to make good any such impairment may be repaid from surplus thereafter accruing upon the approval of the insurance commissioner. Said guaranty capital may be reduced or retired when the permanent fund of the company equals 2 per cent. of the amount insured upon all policies in force; and said guaranty capital may be reduced or retired by vote of the policyholders of the company and the assent of the insurance commissioner, if the assets of the company, available for the payment of its obligations, exclusive of guaranty capital, for two years last preceding and including the date of its last annual statement, shall be not less than 25 per cent. of the guaranty capital. Said guaranty capital shall be subject to taxation in accordance with the statutes relative to taxation of stock fire insurance companies.

SECT. 6. Any individual, firm or corporation may effect insurance in the corporation hereby created, and shall be members thereof for and during the terms of their policies.

Insurance; policyholders members of corporation during existence of policy.  
Right to repeal, etc., reserved; takes effect on passage.

SECT. 7. The legislature may at any time alter, amend or repeal this act whenever the public good may require; and this act shall take effect upon its passage.

[Approved February 21, 1917.]

CHAPTER 288.

AN ACT TO REPEAL CHAPTER 268, LAWS OF 1907, ENTITLED "AN ACT TO INCORPORATE THE GORDON POND RAILROAD COMPANY."

SECTION

1. Repeal of charter.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Chapter 268, Laws of 1907, entitled, "An Act to incorporate the Gordon Pond Railroad Company," is hereby repealed.

Repeal of charter.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1917.]

## CHAPTER 289.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 242, LAWS OF 1907, ENTITLED, "AN ACT TO INCORPORATE THE LACONIA HOME FOR THE AGED."

## SECTION

1. Authorized to hold property of the value of \$500,000.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authorized to hold property of the value of \$500,000.

SECTION 1. That section 2, chapter 242 of the Laws of 1907, be amended by striking out the word "one" in line four of said section, and inserting in place thereof the word five, so that said section as amended shall read as follows: SECT. 2. Said corporation by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have power to take and acquire and hold real and personal estate to an amount not exceeding five hundred thousand dollars, by lease, purchase, donation, bequest, or otherwise, for the purpose of establishing and maintaining a home at Laconia, aforesaid, erecting suitable buildings, and properly furnishing the same with whatever may be desirable or necessary for the successful operation of said institution; and said institution being exclusively for uses and purposes of public charity its property shall be exempted from taxation, and said corporation shall have the power to convey, transfer, sell, and dispose of real and personal estate.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 27, 1917.]

## CHAPTER 290.

AN ACT IN AMENDMENT OF SECTION 11, CHAPTER 171 OF THE LAWS OF 1893, ENTITLED, "AN ACT TO ESTABLISH THE CITY OF SOMERS-WORTH."

## SECTION

1. Salary of mayor fixed at \$500.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Salary of mayor fixed at \$500.

SECTION 1. Section 11, chapter 171 of the Laws of 1893, is hereby amended by striking out the word "two," in the seventh line thereof and inserting in its place the word five, so that said section

as amended shall read as follows: SECT. 11. The mayor of said city shall be chosen annually, and, in addition to the powers conferred on him by statute, shall have, when acting as presiding officer of the board of aldermen and of the joint convention of the city councils, in case of an equal division upon a motion, or in case of an equal division between two candidates, the right to give a casting vote. The mayor shall receive an annual salary of five hundred dollars, to be paid him at stated periods out of the city treasury, and said salary shall be in full for services of every kind rendered by him in the discharge of all duties pertaining to said office.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1917.]

CHAPTER 291.

AN ACT TO INCORPORATE THE MERRILL INSTITUTE AND FREE LECTURE ASSOCIATION, OF THE TOWN OF EXETER.

SECTION

- 1. Corporation constituted.
- 2. Trustees named.
- 3. Officers and duties.
- 4. Meetings.
- 5. Powers of trustees.

SECTION

- 6. Powers and purposes of corporation.
- 7. Meetings.
- 8. Bonds of officers.
- 9. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. In order to carry out the provisions contained in the fifteenth paragraph of the will of Abner L. Merrill, late of Exeter, recently deceased, there is hereby constituted a corporation by the name of the Merrill Institute and Free Lecture Association, of the Town of Exeter.

Corporation constituted.

SECT. 2. Frank A. Merrill, Lewis Perry, James A. Tufts, Arthur O. Fuller, Harry Merrill, Henry W. Anderson and Perley Gardner are hereby nominated and appointed trustees of said association, and are hereby incorporated into a body politic by the name of the Merrill Institute and Free Lecture Association, of the Town of Exeter; and they and their successors shall be and continue a body politic by the same name forever.

Trustees named.

SECT. 3. Said association shall be officered and managed by a board of seven trustees whose duties shall be to take charge of and hold its invested funds and provide free lectures, in accordance with the provisions of said will. Said board shall consist of the per-

Officers and duties.



sons named in section 2 of this act, and their successors, and shall be self-perpetuating, and upon the death or resignation of any member of said board, the successor or successors shall be elected by the remaining members of the board. If practicable, some member of said Abner L. Merrill's family bearing the name of Merrill shall always be a member of said board of trustees.

Meetings.

SECT. 4. The annual and all special meetings of said association shall be held at such times and places and by such notices as may be provided by its by-laws or by vote of said trustees.

Powers of trustees.

SECT. 5. Said trustees, constituting said corporation, shall have full power and authority to elect such officers of said association as they shall judge necessary and convenient; and to make and adopt such laws, by-laws, and rules for the government of the affairs of said association as may to them seem fit and requisite, and to change the same from time to time at discretion; *provided, however*, that said laws, by-laws, and rules be in no way contrary to the laws of the state, nor to the provisions of said will.

Powers and purposes of corporation.

SECT. 6. Said association is authorized and empowered to receive from said Abner L. Merrill's executors, either in money or in securities selected from the investments made by him in his lifetime, the fifty thousand dollars bequeathed to said association by the fifteenth paragraph of his will, and to hold the same in accordance with the terms of said paragraph, and for the purposes therein specified, and the trustees of said association are hereby clothed with all powers necessary for carrying into effect the intention of said testator as expressed in said paragraph, and charged with all the duties imposed upon them by said paragraph.

Meetings.

SECT. 7. Any two of said trustees may call the first meeting of the corporation by giving or mailing a printed or written notice to the other members at least ten days before the day of meeting, or by leaving such notice at their last place of abode; or such first meeting may be held, without notice, at any time and place agreed upon by all the trustees.

Bonds of officers.

SECT. 8. Said trustees shall be exempt from giving bond, but may in their discretion require a bond from such person as they may employ as treasurer or to have actual custody of the funds of the association.

Takes effect on passage.

SECT. 9. This act shall take effect upon its passage.

[Approved February 27, 1917.]

## CHAPTER 292.

AN ACT AUTHORIZING THE NASHUA MANUFACTURING COMPANY TO INCREASE ITS CAPITAL STOCK.

## SECTION

1. Capital stock of \$5,000,000 authorized.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The Nashua Manufacturing Company is hereby authorized and empowered to increase its capital stock to an amount not exceeding five million dollars. Such increase may be made at once or from time to time, by majority vote of the stockholders at any meeting or meetings duly called for the purpose; and in connection therewith said corporation may by like vote change the number and par value of its shares within the limits authorized by the general laws relative to voluntary corporations.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1917.]

## CHAPTER 293.

AN ACT AMENDING SECTION 5, CHAPTER 176, SESSION LAWS OF 1893,  
AN ACT ENTITLED AN ACT TO CREATE THE LITTLETON VILLAGE DISTRICT.

## SECTION

1. Park commission created.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That section 5 of chapter 176 of the session Laws of 1893 be amended, by adding after the end of said section the following words: The said voters, at said meeting, shall also elect three park commissioners; one for three years, one for two years and one for one year, and after the first year one shall be elected at each annual meeting for a term of three years. Said park commissioners shall have the exclusive care, development and regulation of all public parks in the district; shall direct the expenditure of all monies appropriated or given for park purposes; and shall serve without salary.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 27, 1917.]

## CHAPTER 294.

AN ACT AUTHORIZING THE TOWN OF PETERBOROUGH TO EXEMPT FROM TAXATION THE IMPROVEMENTS OR NEW BUILDINGS TO BE ERECTED BY THE AMERICAN GUERNSEY CATTLE CLUB.

## SECTION

1. Authority to exempt.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority to  
exempt.

SECTION 1. The town of Peterborough is hereby authorized to exempt from local taxation the improvements or new buildings to be erected by the American Guernsey Cattle Club, on the corner of Grove and School streets in said town, for a term not exceeding ten years, the limit of the same to be fixed by a vote of the said town at its next annual town meeting.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 1, 1917.]

## CHAPTER 295.

AN ACT IN REFERENCE TO THE SO-CALLED "ROBINSON FEMALE SEMINARY FUNDS" OF THE TOWN OF EXETER.

## SECTION

1. Authority of trustees and treasurer.  
2. Application of act to future funds.

## SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority of  
trustees and  
treasurer.

SECTION 1. The so-called "Robinson Female Seminary Funds" of the town of Exeter shall not be subject to the provisions of chapter 162 of the Laws of 1915, but shall be held and administered in accordance with chapter 96 of the Laws of 1867, that is to say, by the trustees of the Robinson Female Seminary and a treasurer appointed by said trustees and holding office during their pleasure, and who shall give bond to the satisfaction of said trustees.

SECT. 2. This act shall also apply to any funds hereafter given or bequeathed to said seminary or for its benefit.

SECT. 3. This act shall take effect upon its passage.

Application of  
act to future  
funds.

Takes effect on  
passage.

[Approved March 6, 1917.]

CHAPTER 296.

AN ACT IN AMENDMENT OF SECTION 6 OF CHAPTER 259 OF THE LAWS OF 1895, ENTITLED “ AN ACT TO INCORPORATE THE CONTOOCCOOK WATER-WORKS COMPANY.”

SECTION

1. Refunding of indebtedness authorized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 6 of chapter 259 of the Laws of 1895 entitled “An Act to incorporate the Contoocook Water-Works Company” is hereby amended by adding at the end thereof the following: Said precinct may refund its indebtedness and issue new bonds therefor, payable at such times and with such rate of interest as it may determine, so that said section as amended shall read as follows: SECT. 6. Said precinct is hereby authorized and empowered to borrow such sums of money on the credit of the precinct as may from time to time be deemed advisable, for the purpose of defraying the expense of constructing, maintaining, and operating said light and water-works, such indebtedness not to exceed at any one time forty thousand dollars, and to issue notes and bonds of the precinct therefor, to be signed by the secretary of the board of commissioners and countersigned by the president thereof, payable at such times and with such rate of interest as said precinct may determine; and such notes and bonds shall be valid and binding upon said precinct. Said precinct may refund its indebtedness and issue new bonds therefor, payable at such times and with such rate of interest as it may determine.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 7, 1917.]



CHAPTER 297.

AN ACT TO ESTABLISH AND MAINTAIN A SYSTEM OF PARKS, PLAY-  
GROUNDS AND PARKWAYS IN THE CITY OF BERLIN.

SECTION

1. Authority. Power of eminent domain extended.
2. City authorized to borrow not exceeding \$100,000 for purposes of this act, and issue bonds therefor.

SECTION

3. Park commission established.
4. Powers of commissioners.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Authority. Power  
of eminent domain  
extended.

SECTION 1. The city of Berlin is hereby authorized and empowered to purchase, or take by right of eminent domain such lands and buildings thereon within its limits to be used for parks, playgrounds and parkways as shall have been selected and approved by the park commission hereinafter provided. If said lands cannot be acquired by purchase, then the same can be taken in the same manner as land is taken in the case of the laying out of highways and with the same right of appeal to the superior court and trial by jury.

City authorized  
to borrow not  
exceeding  
\$100,000 for  
purposes of this  
act, and issue  
bonds therefor.

SECT. 2. The said city of Berlin is hereby authorized and empowered, by a vote of the city council, to borrow money for the purposes of this act and the development, improvement and maintenance of said parks, playgrounds and parkways, to an amount not exceeding one hundred thousand (100,000) dollars, and for such purposes may issue the bond of said city in such amounts, not exceeding in all the amount above stated, for such term of years, not exceeding twenty (20) years, and at a rate of interest not exceeding five (5) per cent., as the city council may determine; and said bonds when so issued shall create a valid indebtedness and be binding on said city. The money when so borrowed shall be used only for the purposes contemplated in this act.

Park commission  
established.

SECT. 3. For the more convenient management of said parks, playgrounds and parkways the said city shall place the control and management of the same in a board of park commissioners to consist of three citizens of said city and two *ex-officio* members as hereinafter provided; and on the last Monday of March, 1917, the mayor shall appoint, subject to the approval and confirmation of the city council, said board of park commissioners; the first of whom shall serve for three years, the second for two years, and the third for one year, and annually thereafter on the last Monday of March, the mayor shall appoint, subject to the approval and confirmation of the city council, one citizen of said city to be a member of said board of park commissioners to hold office for the term of three years from the date of his appointment, or until his successor is

appointed and qualified unless sooner removed. If a vacancy occurs, the mayor and council shall in the same manner fill the vacancy for the residue of the term, and may remove any member of said board for cause, or when the public good may require. No member of said board of park commissioners shall be a member of the city council, and there shall not be at any time more than two members of said board of the same political party. The members of said board shall serve without pay, but they shall be furnished a suitable office in the city hall. The mayor and city engineer shall be *ex-officio* members of said board of park commissioners with all the rights and privileges of their associates on said board.

SECT. 4. The said board of park commissioners shall organize annually in the month of April by the choice of one of their members as chairman, and shall also choose a clerk who may be one of said commissioners. They may prescribe such rules and regulations governing the care, improvement and management of said parks, playgrounds and parkways as the city council heretofore or shall hereafter have the right to make under the laws of this state. They shall have the expenditure of all appropriations which the city council of said city from year to year vote for such purposes, and all bills for the expenditures from the appropriation so voted by the city council, shall be approved by said board before the same are paid by the city treasurer. The said board shall annually in the month of April send to the city council an estimate of the appropriation required for the acquisition, care and maintenance of said parks, playgrounds and parkways during the financial year; and the said board of park commissioners shall recommend to the city council the acquiring of such lands as in their opinion should be taken for the purposes of this act.

Powers of  
commissioners.

SECT. 5. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved March 7, 1917.]

CHAPTER 298.

AN ACT TO AUTHORIZE THE GRANITE STATE FIRE INSURANCE COMPANY  
TO INSURE AGAINST MARINE DISASTER, NAVIGATION AND TRANSPORTA-  
TION HAZARDS AND DAMAGE OR LIABILITY RESULTING TO OWNERS OF  
MOTOR VEHICLES FROM THEFT, COLLISION OR OTHER CASUALTY.

SECTION

1. Authority.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Authority.

SECTION 1. In addition to the powers now possessed by law by  
the Granite State Fire Insurance Company, said company is hereby  
authorized and empowered to make and effect insurance on vessels,  
cars or other vehicles, freight, goods, effects and money loaned on  
bottomry or respondentia, against loss or damage resulting from  
the perils of the sea and other perils usually insured against by  
marine insurance or from the risks and hazards of inland naviga-  
tion and transportation; and insurance on motor vehicles, their fit-  
tings and contents and use and occupancy, against loss or damage  
resulting from accident, theft, collision or other casualty, and  
against liability of the owner or user thereof for injury or damage  
to property caused thereby.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1917.]

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CHAPTER 299.

AN ACT IN AMENDMENT OF CHAPTER 289, LAWS OF 1915, ENTITLED "AN  
ACT AUTHORIZING THE CITY OF BERLIN TO APPROPRIATE MONEY IN  
AID OF THE ST. LOUIS HOSPITAL OF SAID CITY."

SECTION

1. Male nurses no longer required for  
male patients.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Male nurses no  
longer required  
for male patients.  
Takes effect on  
passage.

SECTION 1. Amend chapter 289, Laws of 1915, by striking out  
all of section 2.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1917.]

CHAPTER 300.

AN ACT TO ENABLE THE SELECTMEN OF THE TOWN OF LANCASTER TO  
CONVEY AND TAX CERTAIN LOTS OF LAND IN SAID TOWN.

SECTION

1. "School lots" to be conveyed if town  
so votes.
2. Legalizing former conveyances.

SECTION

3. Lots sold, to be taxed thereafter as  
other property.
4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. That the selectmen of the town of Lancaster, in the name of said town, be and hereby are authorized to convey by good and legal conveyance, all or any part of the so-called leased lots owned by said town and known as the "school lots," *provided*, said town shall vote to make said conveyances.

SECT. 2. Any conveyance of all or any part of a "school lot" which has heretofore been made by said town is hereby legalized.

SECT. 3. Whenever all or any part of a "school lot" shall have been sold by said town, said lot or part of such lot shall be taxed in the same manner as other real estate is now taxed in said town.

SECT. 4. This act shall take effect upon its passage.

[Approved March 7, 1917.]

CHAPTER 301.

AN ACT IN AMENDMENT OF "AN ACT TO INCORPORATE THE NORTH CON-  
WAY & MOUNT KEARSARGE RAILROAD," PASSED JUNE SESSION, 1883,  
AND ALL SUBSEQUENT ACTS RELATING TO THE SAME.

SECTION

1. Time for completion extended to July  
1, 1921.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. The time for the completion of the North Conway & Mount Kearsarge Railroad is hereby extended to the first day of July, 1921.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1917.]



## CHAPTER 302.

AN ACT IN AMENDMENT OF AND IN ADDITION TO AN ACT ENTITLED "AN ACT TO REVISE THE CHARTER OF THE CITY OF NASHUA," CONFERRING ADDITIONAL POWERS UPON THE BOARD OF PUBLIC WORKS OF SAID CITY, IN CERTAIN CASES.

## SECTION

1. Powers fixed.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Powers fixed.

SECTION 1. Amend the Laws of 1913, chapter 427, section 60, entitled "An Act to revise the charter of the city of Nashua," by adding at the end thereof the following: The board of public works shall also have sole power to select and purchase land for the purposes of the public works department; and when said board has secured by vote of the board of aldermen an adequate appropriation for the purchase of a specified lot at a specified price, then said board may purchase the same. The said board and the land and buildings committee of the board of aldermen, jointly, shall direct the construction of all buildings erected, altered, remodeled or changed, for the use of the public works department; and no building shall be erected, altered, remodeled or changed, unless the plans thereof have previously been submitted to the board of public works and approved by it. Upon completion of such building or after the selection and purchase of land, the board of public works shall have full and complete care and control of the same; and whenever such land or buildings shall no longer be used for the purposes of the public works department, the care and control thereof shall revert to the city, so that said section as amended shall read as follows:

SECT. 60. The said board shall have cognizance, direction, and full control (a) of the construction, alteration, cleaning, watering and repairs of streets, highways, bridges and sidewalks; (b) of the location, construction, extension, care and maintenance of public sewers and drains; (c) of the planting and care of the shade and ornamental trees standing in the streets and public ways; (d) of the location and supervision of electric power, electric light, telephone, telegraph, and trolley wires; of electric light, telephone, trolley and telegraph poles, and of any gas and water pipes and other conduits, and erection, placing and removing thereof; (e) they shall have all the powers and authority now vested in the committee on highways and bridges and the committee on sewers and drains, as well as full power and authority to contract for and purchase all material and supplies used in the department created by

this act; (f) they shall have the purchasing as well as the care and control of all teams and other property used in the department of public works established as aforesaid. And all powers and duties by law vested in surveyors of highways shall apply to said board of public works when not inconsistent herewith. The board of public works shall also have sole power to select and purchase land for the purposes of the public works department; and when said board has secured by vote of the board of aldermen an adequate appropriation for the purchase of a specified lot at a specified price, then said board may purchase the same. The said board and the land and buildings committee of the board of aldermen, jointly, shall direct the construction of all buildings erected, altered, remodeled or changed, for the use of the public works department; and no building shall be erected, altered, remodeled or changed, unless the plans thereof have previously been submitted to the board of public works and approved by it. Upon completion of such building or after the selection and purchase of land, the board of public works shall have full and complete care and control of the same; and whenever such land or buildings shall no longer be used for the purposes of the public works department, the care and control thereof shall revert to the city.

SECT. 2. All acts or parts of acts inconsistent herewith are here-  
by repealed and this act shall take effect upon its passage.

Repealing clause:  
takes effect on  
passage.

[Approved March 7, 1917.]

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CHAPTER 303.

AN ACT TO RATIFY THE PLACING OF THE MANAGEMENT AND CONTROL OF  
NEW HAMPTON LITERARY AND BIBLICAL INSTITUTION UNDER THE  
CONTROL OF ITS ALUMNI AND FORMER STUDENTS AND TEACHERS BY  
ITS BOARD OF CORPORATORS.

SECTION

1. Action of board of incorporators  
confirmed.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. The action of the board of incorporators of New  
Hampton Literary and Biblical Institution in changing the number  
of incorporators and the manner of electing the same whereby the  
management and control of the institution is placed in the hands

Action of board  
of incorporators  
confirmed.

of its alumni and former students and teachers and the by-laws adopted January 6, 1916, is hereby ratified and confirmed. Said incorporators and their associates are hereby authorized to make such further alterations in the method of electing and terminating the term of office of members of its board of corporators, and the control and management of the said institution as they may deem advisable for its best interests.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1917.]

## CHAPTER 304.

### AN ACT RELATING TO GRACE CHURCH IN MANCHESTER.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

#### SECTION

1. Authorized to hold property of the value of \$300,000.

#### SECTION

2. Takes effect on passage.

Authorized to  
hold property  
of the value of  
\$300,000.

SECTION 1. Amend section 2, chapter 2550, Laws of 1861, by striking out all of said section after the word "office" in line nine and inserting in place thereof the following: *provided*, that the real and personal estate now or hereafter so held or possessed shall not exceed in amount the sum of three hundred thousand dollars, so that said section as amended shall read as follows: SECT. 2. All the real and personal estate now held, owned and possessed by the rector, wardens and vestry of Saint Michael's Church, shall hereafter be vested in, held, owned and possessed by the rector, wardens and vestry of said Grace Church, with full power to purchase, take, hold, possess, dispose of and convey all such real and personal estate, and any and all other real and personal estate which may hereafter be acquired by said rector, wardens and vestry of said Grace Church, or their successors in office; *provided*, that the real and personal estate now or hereafter so held or possessed shall not exceed in amount the sum of three hundred thousand dollars.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1917.]

CHAPTER 305.

AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATING TO  
THE BOARD OF ASSESSORS.

SECTION

- 1. Board, how composed. Duties.
- 2. How chosen. Vacancies, how filled.
- 3. Organization of board.
- 4. Duties of clerk of board.
- 5. Office hours and attendance of board.
- 6. Assistants; compensation.

SECTION

- 7. Records of board, open to public inspection.
- 8. Duties of board; compensation.
- 9. Tenure of office of present board, terminated by the adoption of this act.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The board of assessors for the city of Dover shall consist of three members, who shall exercise all the powers and be subject to all the duties and responsibilities by law conferred or imposed upon assessors of taxes in cities, and perform such further duties as the city councils of said city, by ordinance, may prescribe.

Board, how composed. Duties.

SECT. 2. Immediately upon the passage of this act the board of mayor and aldermen of said city, upon nominations duly submitted by the mayor, shall elect two citizens of the majority party and one of the minority party of said city, who shall serve as such assessors for the period of ten, twenty-two and thirty-four months, respectively, from the first day of March, 1917, and annually thereafter on the first Wednesday of January, upon nominations as aforesaid, said board of mayor and aldermen shall choose one member of said board for the full term of three years, or until his successor shall have been elected and qualified. Said board of mayor and aldermen may remove any member of said board of assessors at any time for cause, upon charges duly filed with the clerk of said city and upon a full hearing had thereon; *provided, however,* that no member of said board of assessors shall be removed except upon the affirmative vote of two-thirds of all members of said board of mayor and aldermen, voting by yea and nay. Vacancies occurring in said board of assessors from any cause may be filled in the manner hereinbefore provided.

How chosen. Vacancies, how filled.

SECT. 3. The board of assessors thus chosen shall immediately organize by the choice of one of their number as chairman, who shall serve as such until the first Wednesday of January, 1918; and annually thereafter on the first Wednesday in the month of January said board shall organize for the year next ensuing. The board of mayor and aldermen shall also choose one of said assessors as clerk, who shall hold office until the next annual meeting of said board of assessors, or until his successor is chosen and qualified, and annually thereafter upon the first Wednesday in the month of January a clerk for said board of assessors shall be chosen as herein-

Organization of board.



before provided, removable, however, at the pleasure of said board of mayor and aldermen.

Duties of clerk  
of board.

SECT. 4. The clerk shall keep the books, accounts and records of the board, conduct its correspondence, and do and perform such other service as may be required of him by vote of the board or as may be prescribed by law or ordinance, and for such service he shall receive, in addition to the compensation hereinafter provided, such sum as the city councils by ordinance may prescribe.

Office hours and  
attendance of  
board.

SECT. 5. The board of assessors shall have an office in the city building assigned and furnished for such purpose by the city; they shall hold regular meetings at such office for the transaction of business during stated hours on at least four days in each month throughout the year. During the months of April, May, June and July, at least one member of said board, in addition to the clerk, shall be in attendance at such office during business hours; additional meetings shall also be held if the convenience of the taxpayers so require.

Assistants;  
compensation.

SECT. 6. The city councils may, by ordinance, authorize the board of assessors to employ assistants, not exceeding one in each ward, to aid in making the lists of ratable polls, such assistants to be employed not exceeding two weeks in any one year, at a compensation of two and one-half dollars a day.

Records of board,  
open to public  
inspection.

SECT. 7. All books and records of the board of assessors shall be the property of the city and shall be open to public inspection during the regular office hours.

Duties of board;  
compensation.

SECT. 8. For the faithful performance of their duties the members of said board shall receive per annum, such sums as the mayor and board of aldermen shall vote, to be paid as the city councils, by ordinance, may determine. Said city councils may also make such additional regulations and prescribe such additional duties as may seem necessary or desirable for the more efficient assessment of public taxes, and appropriate such sums of money annually as may seem necessary for the proper performance of the duties incident thereto.

Tenure of office  
of present board,  
terminated by the  
adoption of this  
act.

SECT. 9. Upon the adoption of this act the term of office of all persons serving in any capacity in the assessment of taxes in said city of Dover shall automatically cease.

[Approved March 8, 1917.]

## CHAPTER 306.

## AN ACT IN AMENDMENT OF THE CHARTER OF NASHUA.

## SECTION

1. Board of library trustees created.
2. Personnel of board; vacancies, how filled.
3. Powers and duties of board.
4. Authority to hold property.
5. Investment of funds; and income therefrom.
6. City responsible for good faith of trustees; treasurer's bond to cover liability therefor.
7. Board to make rules and regulations for government of property and library.

## SECTION

8. Annual appropriation by city for maintenance. Board to submit budget.
9. Board, how organized.
10. Extension of library, etc., by trustees.
11. Board to serve without compensation, except as to secretary.
12. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. A board of trustees of the public library of Nashua <sup>Board of library trustees created.</sup> to consist of nine persons, is hereby established which shall have full control of the public library department.

SECT. 2. The mayor of said city shall be president, *ex officio*, of <sup>Personnel of board; vacancies, how filled.</sup> said board of trustees and the president of the board of aldermen shall be one, and Elbert Wheeler, Thos. A. McCarthy, Henry A. Cutter, Oliver P. Hussey, Wm. H. Beasom, Ira F. Harris, and Frank A. Dearborn, are hereby appointed and constituted the remaining members of said board, to hold their offices, one, two, three, four, five, six and seven years, respectively, from the first day of May last; and hereafter at the commencement of each municipal year the board of aldermen of said city in convention with said board of trustees, upon nomination by the mayor, and by joint ballot, shall elect one person to be a trustee of the public library for the term of seven years from May 1st, next ensuing, and until his successor shall have been chosen and qualified in his stead. Whenever a vacancy occurs in said board by the expiration of any of said terms, or by the expiration of the term of any trustee hereafter elected, it shall be filled on the joint ballot of the said board of trustees and the board of aldermen, and shall be for the term of seven years. Any vacancy from any other cause shall be filled in the same manner, but only for the unexpired term of the trustee whose place is thus filled.

SECT. 3. Said board of trustees shall have the sole care, super- <sup>Powers and duties of board.</sup> intendence, and management of the property, expenditures, business and prudential affairs of said public library department and of all property of the city relating thereto; and may employ librarians and such assistants as they shall deem necessary and establish their compensation. Said board shall also have the same power

and authority as cities or towns now or hereafter may have, to acquire by purchase, lease or otherwise, for and in the name of the city, land and buildings or rooms, to be used in connection with and for the purpose of the public library department, whenever the funds at their disposal will so allow. Said board may also sell and dispose of for the benefit of said public library department, all grants, gifts, devises and bequests, as may be made to it or to the city for the purpose of increasing or improving the public library department.

Authority to hold property.

SECT. 4. Said board of trustees are authorized to take and hold any grant, gift, bequest or devise, of property upon trust, to apply the principal or the income thereof for the establishment or improvement of the public library department, or for the erection of buildings or repair of the same, or for the embellishment or improvement of the premises in connection therewith. The application or expenditure of said monies and grants, and the establishment, improvement, erection, repair and embellishment of said buildings and premises shall be under the sole supervision, direction and control of said board, who shall make all necessary contracts in connection with the same, for and in the name of the city, in accordance with their best judgment and in any manner or form that will promote the purposes for which the public library department is established: all however, in any event, to be in accordance with the terms of such grant, gift, bequest or devise. Also all monies or property that the said city may receive by gift from any source or by grant, bequest or devise, in behalf of said public library department, and any gift, grant, bequest or devise, heretofore made to said city for the benefit of the library or library department and now in force, shall be placed in the care and control of said board of trustees, to be expended or retained by them for and in behalf of the city for the support and maintenance of said public library and the public library department in accordance with the conditions of each or any gift, grant, bequest or devise, accepted by the city; and if there are no conditions attaching to such gift, grant, bequest or devise, then the same is to be retained or expended as in the judgment of the trustees will most effectively promote the purposes of the public library department. Said board of trustees shall hold all of said property and estate for the same uses and purposes and charged with the same duties and liabilities for and subject to which the same may now be held by the board of aldermen of said city of Nashua.

Investment of funds; and income therefrom.

SECT. 5. Any sums of money so received by said trustees, so long as the same remain unexpended, shall be invested by the city treasurer, under the direction of said trustees, in savings banks, or in any securities in which savings banks are authorized by law to invest, unless other provision is made by the terms of any such gift grant bequest or devise, and shall be under the charge of the

city treasurer but shall always remain separate from and independent of any other monies or property belonging to said city of Nashua and free from all control of the board of aldermen. The income of such fund or funds shall be received by said treasurer, subject to the order of said trustees, and shall be appropriated and expended by them in accordance with the terms of said grant, gift, bequest or devise; and in the absence of such terms, then in such manner as shall in their opinion best promote the purposes for which the same are given granted bequeathed or devised. In like manner any appropriation made by said city shall be received by said trustees and held by the city treasurer subject to the order of said trustees.

SECT. 6. The city of Nashua shall be responsible for the good faith of said trustees and the treasurer of said city in the execution of any trust which they may assume pursuant to the foregoing provisions; and the city treasurer's bond shall be such as to cover among other things the faithful performance of his duty in connection herewith.

SECT. 7. The said board of trustees shall make and execute all such rules and regulations for its government, the preservation of property under its charge, and the use and management thereof, as they may from time to time deem necessary or expedient.

SECT. 8. There shall be annually appropriated by the city and made subject to the order of the trustees of the library a sum of money sufficient to maintain the library for one year, including salaries, heating, lighting and ordinary maintenance and repairs. There shall also be made an annual appropriation for the purchase and repair of books, and subscriptions for newspapers and periodicals and, as occasion demands, such additional appropriations may be made as, in the judgment of the board of aldermen, shall be desirable for procuring suitable additions and conveniences and the establishment of reading rooms or branch libraries and other utilities pertaining to library work. Said trustees shall have the sole expenditure of all monies so raised and appropriated. For the purpose of the appropriations aforesaid the trustees shall annually, not later than February 1st, submit to the mayor and to the board of aldermen, one copy to each, a detailed estimate in writing of the appropriations required for that year under the heads above designated.

SECT. 9. The said trustees shall organize annually by the choice of a secretary from their own number and shall keep a record of their proceedings. They shall make report annually to the board of aldermen of all their receipts and expenditures, and of all the property of the city in their care and control, including a statement of any unexpended balance of money they may have, and of grants, gifts, bequests or devises they may have received and are holding in behalf of the city, with such recommendations in reference to



the same as they may deem necessary for the board of aldermen to consider.

Extension of library, etc., by trustees.

SECT. 10. Said trustees are authorized to establish and maintain in connection with said library department, reference and circulating libraries, reading-rooms, collections of arts and antiquities, and museums, whenever in their judgment the funds at their disposal shall make the same practicable.

Board to serve without compensation, except as to secretary.

SECT. 11. The said trustees other than the secretary shall receive no compensation for their services; the pay of the secretary to be fixed by the board of trustees.

Repealing clause; takes effect on passage.

SECT. 12. All acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

[Approved March 8, 1917.]

CHAPTER 307.

AN ACT TO EXTEND THE CHARTER OF THE MONROE BOOM COMPANY.

SECTION

- 1. Charter revived and extended, subject to right of repeal, etc.
- 2. Authority to improve Connecticut river, from Barnet Pitch to foot of Fifteen Mile Falls.

Charter revived and extended, subject to right of repeal, etc.

Authority to improve Connecticut river, from Barnet Pitch to foot of Fifteen Mile Falls. Takes effect on passage.

SECTION

- 3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The charter of the Monroe Boom Company created by act of the legislature approved August 7, 1883, is hereby renewed; and said corporation is hereby authorized and empowered to have and exercise, so long as it may continue in business, all the rights, powers and privileges conferred upon it by its charter, subject, however, to the right of the legislature to alter, amend or repeal the same.

SECT. 2. The rights of said company to make improvements in the Connecticut river as provided in said charter are hereby extended from Barnet Pitch, so called, upstream to the foot of Fifteen Mile Falls, so called.

SECT. 3. This act shall take effect upon its passage.

[Approved March 10, 1917.]

## CHAPTER 308.

## AN ACT TO REORGANIZE THE GOVERNMENT OF THE TOWN OF CLAREMONT AND FOR OTHER PURPOSES.

## SECTION

1. Town officers, when and how elected. Powers.
2. Officers to be appointed by selectmen; vacancies.
3. Compensation of elective officers. Records open to public inspection
4. Referendum by selectmen.
5. Budget, to be posted when and where.
6. Town to be divided into five precincts; voting therein. Jurors to be drawn as heretofore. Representation in legislature, how apportioned. Precinct No. 1, bounds of. Precinct No. 2, bounds of. Precinct No. 3, bounds of. Precinct No. 4, bounds of. Precinct No. 5, bounds of.
7. Town meeting, how chosen; term of office.
8. Town meeting, how organized. Meetings.
9. Town meeting, powers of.
10. Town meeting, powers of as to finance.
11. Town meeting, to choose auditor. Annual examination of books.
12. Police to be under control of selectmen.
13. Police and selectmen to enforce laws, etc.
14. Highways, parks and commons to be under charge of the selectmen. Highway defined.
15. Same subject continued.

## SECTION

16. Same subject continued; rules and regulations.
17. Permission of selectmen required, for right to dig up street, park or common.
18. Selectmen to employ highway engineer; duties.
19. Selectmen to co-operate with state or town in construction or maintenance of highways.
20. Fire department reorganized; control of, vested in selectmen.
21. Referendum of ordinances, and appropriations over \$15,000. Procedure.
22. \*
23. Act not to be construed to deprive taxpayers of existing remedies for malversation of officials.
24. Act to be submitted to voters; procedure. Takes effect on adoption.
25. Certain officers to be appointed by selectmen; compensation. Appropriations voted at March election, not to be repealed or reduced by the town meeting.
26. If provisions not adopted in 1917, referendum continued to 1918. Procedure. Dates changed accordingly.
27. If adopted on referendum, how revoked.

\* By an error in numbering, there is no section 22.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. At the annual March election in 1918 and each year thereafter, the town shall choose three selectmen, a town clerk, a town treasurer and a collector of taxes, who shall hold office for one year and until their successors are chosen and qualified. They shall have all the rights and powers and be subject to all the duties and responsibilities provided by existing law, which are not inconsistent with the provisions of this act.

SECT. 2. The selectmen shall appoint for a term ending at noon on the day of the annual March election next after their appointment the following officers, fill vacancies in like manner for unexpired terms, and fix their compensation: overseer of the poor, one or more surveyors of wood, bark and lumber, one or more assessors, one or more sealers of weights and measures, chief engineer and

Town officers,  
when and how  
elected. Powers.

Officers to be  
appointed by  
selectmen;  
vacancies.

other officers of the fire department, chief of police and all other police officers, officers of highway departments as herein provided, health officers as are now or may hereafter be provided by law, and trustees of the Fiske Free Library as vacancies occur. The foregoing officers shall qualify for their duties and shall hold office until their successors are chosen and qualified, unless removed in the manner herein provided. They shall require bonds of such officers as they see fit, and such others as the town meeting herein provided may vote to have bonded. Official bonds shall be executed as surety by an insurance company authorized to issue surety bonds in New Hampshire, and the expense of such bonds shall be borne by the town.

Compensation of  
elective officers.  
Records open to  
public inspection.

SECT. 3. The compensation of the elective town officers shall be fixed by the town meeting herein provided. The selectmen shall be allowed their reasonable and necessary expenses while transacting the town business, which shall be examined and approved in writing by the town auditors before the same shall be paid. They may employ stenographers and clerical assistants at such expense as the town meeting hereinafter provided may approve. They shall be in session to receive the public at least one afternoon or evening of each week, and shall give suitable notice of the day or evening or other times when they are to be in public session. They shall determine their own rules and order of business, but shall keep a journal of their proceedings, and any citizen shall have access to the minutes and records thereof at all reasonable times.

Referendum by  
selectmen.

SECT. 4. The selectmen may refer for advice and discussion any matter relating to the welfare and government of the town to the town meeting herein provided who shall consider the same and take such action as they see fit, but such action shall not be binding upon the selectmen except as to matters herein placed within the sole control of the town meeting.

Budget, to be  
posted when and  
where.

SECT. 5. During the month of January of each year, the selectmen shall prepare a budget, which shall contain their estimates of all the expenditures for the fiscal year which are required by law, and which may be necessary or expedient. On or before the first day of February they shall post a copy of the same in some public place in West Claremont, Claremont Junction and in two public places in Claremont village, and give such other notice as the town meeting herein provided may prescribe.

Town to be  
divided into five  
precincts; voting  
therein. Jurors  
to be drawn as  
heretofore.  
Representation in  
legislature, how  
apportioned.

SECT. 6. Precincts. The town shall be divided into five precincts in the manner hereinafter provided. Each precinct shall vote for the following officers in the same manner as if it were a ward in an incorporated city: governor, councilor, state senator, representatives to the general court, all county officers, representative in congress, United States senator, and electors of president and vice-president of the United States, and town meeting mem-

bers. All matters relating to jurors shall be administered by the town as heretofore. If the inhabitants of the precincts are so divided that the number of representatives to the general court eligible therefrom shall be less than the number the town is entitled to choose under chapter 84 of the Laws of 1911, or under any apportionment thereafter, the additional representatives shall be chosen from the town at large. The precincts shall be bounded and described as follows:

Precinct 1. Beginning at the center of Sugar river at the Upper Bridge; thence running up the center of Broad street to the top of Dexter Hill, including the Johnson place; thence northeasterly in a straight line to the corner of Winter street and Green Mountain road; thence in a straight line westerly to Hanover street at the northwest corner of land of the Claremont General Hospital; thence continuing westerly along the northerly line of the land at the Claremont General Hospital to Elm street; thence in a straight line from Elm street to the junction of Main and North streets; thence in a straight line as of North street extended to the middle of Sugar river; thence up stream along the middle of Sugar river to the point of beginning. Precinct No. 1,  
bounds of.

Precinct 2. Beginning at the center of Sugar river at the Upper Bridge; thence running up the center of Broad street to the top of Dexter Hill, excluding the Johnson place; thence northeasterly in a straight line to the corner of Winter street and Green Mountain road; thence southeasterly in a straight line to end of Moody avenue, including the dwellings thereon; thence southerly to the westerly line of land of the estate of Reuben Ellis; thence in a straight line across Sugar river to the corner of Edgewood street and Belmont avenue; thence southerly including the residences on Belmont avenue to Chestnut street; thence in a straight line to the southerly end of Chase street; thence in a straight line to the Charlestown road at the easterly corner of land of W. H. H. Moody; thence northerly along the center of the Charlestown road to Draper Corner; thence northerly along the center of West Pleasant street and Pleasant street to the drinking fountain at Tremont square; thence along the middle of Tremont street to Broad street; thence along the middle of Broad street to the point of beginning. Precinct No. 2,  
bounds of.

Precinct 3. Beginning at the center of Sugar river at the Upper Bridge; thence running southerly along the middle of Broad street to Tremont street; thence westerly along the middle of Tremont street to the drinking fountain at Tremont square; thence southerly along the middle of Pleasant street to Myrtle street; thence westerly along the middle of Myrtle street to Mulberry street; thence northerly along the middle of Mulberry street to Sullivan street; thence along the middle of Sullivan street to Union street; thence along the middle of Union street to Main street; Precinct No. 3,  
bounds of.



thence along the middle of Main street to the center of the Sugar river; thence up stream along the center of Sugar river to the point of beginning.

Precinct No. 4,  
bounds of.

Precinct 4. Beginning at the center of Sugar river at the Lower Village Bridge; thence easterly along the middle of Main street to Union street; thence southerly along the middle of Union street to Sullivan street; thence easterly along the middle of Sullivan street to Mulberry street; thence southerly along the middle of Mulberry street to Myrtle street; thence easterly along the middle of Myrtle street to Pleasant street; thence southerly along the middle of Pleasant street and West Pleasant street to Draper Corner; thence southerly along the middle of the Charlestown road to the easterly corner of land of W. H. H. Moody; thence in a straight line to the south-easterly corner of premises occupied by the Claremont Country Club; thence northerly along the easterly line of the Claremont Country Club land to Maple avenue; thence in a straight line at right angles to Maple avenue at that point to the Claremont and Concord Railroad; thence westerly along the Claremont and Concord Railroad to the westerly line of land of J. Frank Wilson; thence in a straight line to the junction of the town farm road and the West Claremont road near Tolles' Eddy; thence to the center of Sugar river at Tolles' Eddy; thence up stream along the middle of Sugar river to the point of beginning.

Precinct No. 5.  
bounds of.

Precinct 5. Precinct 5 shall include all the town not embraced in precincts 1, 2, 3 and 4.

Town meeting,  
how chosen;  
term of office.

SECT. 7. Town Meeting. Within three weeks after the adoption of this act, each of the foregoing precincts shall organize and choose fifteen town meeting members, who shall compose the town meeting, of whom five shall be chosen for one year, five for two years, five for three years, from the date of the annual March election for 1917, and thereafter at the annual election in March each precinct shall choose five town meeting members for three years. The town meeting members shall serve without pay and shall hold office until their successors are chosen and qualified, unless the town meeting refuses to seat them or they are removed from office. The town meeting shall be the sole judge of the elections and qualifications of its members. Vacancies may be filled for the unexpired term by the remaining town meeting members for the precinct wherein the vacancy occurs. They may compel by arrest the presence of absent members and any member may sign the necessary complaint or issue his warrant therefor.

Town meeting,  
how organized.  
Meetings.

SECT. 8. The first town meeting shall be held within two weeks after the members are elected. The officers of the town meeting shall be a president and such others as they may deem expedient. The town clerk shall be the clerk of the town meeting. Subsequent meetings shall be called by the president in his discretion, or upon

the request in writing of ten or more members of the town meeting. The town meeting shall also be called upon the written request of ten or more taxpayers. The town meeting may choose a finance committee of not exceeding fifteen members, who shall be composed of residents of Claremont but is not limited to members of the town meeting, and their duties shall be such as the town meeting requests them to perform. Any person may appear before any session of the town meeting and be heard upon any subject that is under consideration, or upon any other subject by unanimous consent. The town meeting may call in the board of selectmen or any town officer or employee, at any meeting for consultation and advice.

SECT. 9. The town meeting may investigate the official acts and conduct of any town officer or employee, prefer charges, conduct hearings thereon, and for cause shown remove any town officer or employee. No town officer or employee shall be so removed from office or employment, unless there is a quorum present and two-thirds vote for such removal. The vote on the question of removal shall be by ballot. For the purposes of such investigations the town meeting may compel the attendance of witnesses and require the production of all other kinds of evidence in the same manner as the courts. Any town meeting member may issue subpoenas, which may be served by any sheriff, deputy sheriff, constable or police officer. It shall be the duty of constables to serve without compensation the processes issued by the town meeting, and the fees of witnesses shall be the same as in proceedings before municipal courts.

SECT. 10. The town meeting shall raise and appropriate all the public money required by the town, and shall have exclusive control of all appropriations of the public money, whether raised by taxation or received from other sources, unless otherwise provided by law. They shall conduct public hearings on all subjects relating to the expenditure of the public money or the welfare of the town in their discretion, and also upon the written request of the selectmen or ten or more taxpayers. Not less than ten days' notice of such public hearings shall be given by posting copies of such request and notice in two or more public places in Claremont village, and a copy at some public place in West Claremont and at Claremont Junction. Three-fifths of the town meeting shall constitute a quorum. No single appropriation of an amount of \$75,000 or more shall be valid unless four-fifths of the town meeting are present when the vote to appropriate is taken. No appropriation of \$5,000 or more shall be made until notice thereof has been posted as above stated, and also published once a week for three successive weeks in each local newspaper printed in the town. The rates to be charged by the newspapers shall not exceed the rates charged to individuals for like space therein.

Town meeting,  
to choose auditor.  
Annual exam-  
ination of books.

SECT. 11. The town meeting shall choose one or more town auditors and fix their compensation. The town meeting shall cause the books of the town officers and employees to be examined annually, and may employ such expert accountants and other assistants to the auditors as they deem necessary.

Police to be  
under control  
of selectmen.

SECT. 12. Police. The management, selection and removal of all police officers shall be vested in the selectmen. They shall organize the police force, define their powers and duties wherein the same are not regulated by law, fix their compensation, and have entire control of the police department.

Police and  
selectmen to  
enforce laws, etc.

SECT. 13. It shall be the duty of the selectmen and the police department to see that the criminal laws of the state, the ordinances of the town, the rules and regulations of the board of health and other bodies having lawful authority are impartially enforced within the town.

Highways, parks  
and commons to  
be under charge  
of the selectmen.  
Highway defined.

SECT. 14. Highways. The parks, commons and highways existing or hereafter established shall be under the general direction of the selectmen, except so far as the state, county or the courts have authority provided by law. Highway shall be construed to mean any road, sidewalk, bridge, culvert, or any other public way or part thereof.

Same subject  
continued.

SECT. 15. The selectmen shall have the powers, rights and duties relating to the laying out of all parks, commons and highways, and all highways partly in other towns, that the selectmen, and other town officials now have. All persons shall have the same rights, remedies and procedure that are now provided.

Same subject  
continued; rules  
and regulations.

SECT. 16. The selectmen shall make, publish and enforce reasonable rules for the regulation of all parks, commons and highways, and enforce the existing law in relation thereto.

Permission of  
selectmen re-  
quired, for right  
to dig up street,  
park or common.

SECT. 17. No person shall dig up any portion of any park, common or highway, place any building or other obstruction thereon, or occupy the same for any other purpose than the reasonable use thereof for public travel, without a written permit from the selectmen.

Selectmen to  
employ highway  
engineer: duties.

SECT. 18. The selectmen shall employ a competent highway engineer, who shall have charge of the construction, maintenance, and repair of the parks, commons and highways, and fix his compensation.

Selectmen to  
co-operate with  
state or town in  
construction or  
maintenance of  
highways.

SECT. 19. The selectmen may co-operate with the state or any town in the state in the construction, maintenance and repair of highways as provided by law, and may enter into agreements with other towns by forming highway districts or otherwise for the purpose of employing expert highway engineers, or procuring other special and technical service.

Fire department  
reorganized;  
control of,  
vested in  
selectmen.

SECT. 20. Fire Department. The selectmen shall organize the fire department, with the assistance of the appointive officers thereof, and make necessary rules and regulations for its administration.



SECT. 21. Any ordinance, rule or regulation, enacted by the selectmen or any appropriation exceeding \$15,000 may be referred to the voters of the town at any meeting of the citizens thereof qualified to vote in town affairs, which shall be called in the same manner that town elections are now called, upon the written request of two hundred taxpayers of the town, but such ordinance, rule, regulation or appropriation shall not be repealed or otherwise affected unless there are present and voting not less than one-half of the whole number of voters in the town, as shown by the check-lists used at the preceding biennial election. The vote shall be by ballot, on which shall be plainly printed the question in the same manner as the question of the granting of liquor licenses is now submitted.

Referendum of ordinances, and appropriations over \$15,000. Procedure.

SECT. 23. Nothing herein contained shall modify or take away any remedy at law or in equity for the waste or misspending of the public money, or for the mismanagement of any public work, or for any malversation in office, which is given any taxpayer under the existing law.

Act not to be construed to deprive taxpayers of existing remedies for malversation of officials.

SECT. 24. This act shall take effect if it is accepted by the town at its annual election in March, 1917, by a majority of those present and voting on the following question, which shall be submitted on a separate ballot: Shall the town adopt the provisions of the act of 1917 entitled "An Act to reorganize the government of the town of Claremont and for other purposes"?

Act to be submitted to voters, procedure. Takes effect on adoption.

SECT. 25. All the town officers who would be elected at the annual March election in 1917 if the provisions of this act were not adopted, shall be appointed by the selectmen for the terms for which they were elected and receive the same compensation therefor for the period of one year, *provided* this act makes their offices appointive; and thereafter they shall be chosen and their compensation fixed in the manner herein provided. No appropriation voted at the March election when this act is adopted shall be repealed or reduced by the town meeting.

Certain officers to be appointed by selectmen; compensation. Appropriations voted at March election, not to be repealed or reduced by the town meeting.

SECT. 26. If the provisions of this act shall not be adopted in 1917, they may be submitted to the voters at the March election of 1918, in the same manner, upon the written request of ten taxpayers made to the selectmen. In such case the dates fixed in this act for the application and operation of its provisions, shall be changed to conform with and apply to the time of their adoption.

If provisions not adopted in 1917, referendum continued in 1918. Procedure. Dates changed accordingly.

SECT. 27. If the provisions of this act shall be adopted in March, 1917, the town may revoke such adoption by ballot at the annual March election of 1920, or at any annual March election thereafter; and if such adoption takes place in March, 1918, the town may revoke such adoption by ballot at the annual March election in 1921 or at any annual March election thereafter. Such adoption shall not be revoked unless a majority of those present and voting shall vote therefor, nor unless there shall be present and voting a

If adopted on referendum, how revoked.



number equal to a majority of the number of voters on the check-lists in use at the next preceding biennial election. The question shall be as follows and shall be submitted on a separate ballot: Shall the town revoke its action whereby it accepted the provisions of the act of 1917, entitled "An Act to reorganize the government of the town of Claremont and for other purposes"?

[Approved March 10, 1917.]

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## CHAPTER 309.

AN ACT TO AUTHORIZE THE GRANITE STATE FIRE INSURANCE COMPANY TO ACQUIRE AND HOLD REAL ESTATE TO THE VALUE OF ONE HUNDRED AND FIFTY THOUSAND DOLLARS.

### SECTION

1. Authority.

### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority.

SECTION 1. The Granite State Fire Insurance Company is hereby authorized and empowered to acquire, own and hold real estate to the value of not exceeding one hundred and fifty thousand dollars.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 15, 1917.]

CHAPTER 310.

AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATING TO  
STREET COMMISSION.

SECTION

1. (a) Street commission created. Powers.  
(b) To have charge of expending appropriations. Limitation on power to purchase and sell.  
(c) Funds to be disbursed by check, on approval of street commissioner.  
(d) Books and records, open to inspection.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 3 of chapter 423 of the Laws of 1913 entitled "An Act repealing chapter 223, Laws of 1903, entitled 'An Act in amendment of the charter of the city of Dover, creating a board of street and park commissioners for said city' and relating to the office of street commissioners" by striking out the whole of said section and inserting in place thereof the following: .

SECT. 3. (a) Said street commissioner shall have full charge, management and control of the building, constructing, oiling, sprinkling, repairing and maintaining of all the streets, bridges, highways, lanes, alleys, sidewalks, public sewers and drains, and the public parks, commons, playgrounds, city farm buildings, gravel banks and lands and buildings used in connection therewith, and such other lands as are not used by any other department and belonging to the said city of Dover.

(b) The street commissioner shall have the expenditure of all appropriations made by the city councils for his department, and all other moneys legally credited to his department, with full power and authority to purchase materials and supplies necessary for the proper maintenance of his department, but shall not purchase or sell any real property, horse, wagon, truck, motor truck, or other machinery used or for use in his department without the approval of the joint standing committee on finance of the city of Dover.

(c) The funds of the department shall be disbursed only upon checks drawn by the city treasurer, and countersigned by the mayor, and numbered so as to correspond with the account or claim it shall have been drawn to pay; and no such check shall be issued unless the account or claim shall have first been approved by the street commissioner.

(d) The street commissioner shall keep or cause to be kept accurate and competent books of account which shall be open at all times

to the inspection of the mayor and joint standing committee on finance of the said city of Dover, and the said street commissioner shall render a detailed statement of the receipts and expenditures of his department quarterly to the board of mayor and aldermen of the said city of Dover.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

[Approved March 15, 1917.]

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## CHAPTER 311.

AN ACT TO INCREASE THE POWER OF THE TRUSTEES OF ATKINSON ACADEMY, RELATING TO THE FUNDS HELD BY THEM IN CONNECTION WITH ANY ESTATE, REAL OR PERSONAL.

SECTION 1. Authority given to hold property of the value of \$100,000.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority given  
to hold property  
of the value of  
\$100,000.

SECTION 1. The trustees, and their successors, of Atkinson Academy, situated in the town of Atkinson, county of Rockingham, state of New Hampshire, a corporation duly chartered by the general court of this state in 1791, be and they hereby are rendered capable in law to take and receive by gift, grant, devise, purchase, or otherwise, any estate, real or personal, not to exceed \$100,000. To have and to hold the same to them, the said trustees and their successors, to the use of said academy on such terms and under such provisions and limitations as may be expressed in any deed or instrument of conveyance which shall be made to them and in accordance with the terms and conditions. *Provided*, always, that neither said trustees, nor their successors, shall ever receive any grant or donation the condition whereof shall require them or any others concerned to act in any respect counter to the design of the institution or any prior donation thereunto made.

[Approved March 15, 1917.]

## CHAPTER 312.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 206 OF THE LAWS OF 1897, BEING "AN ACT TO INCORPORATE THE BETHLEHEM ELECTRIC LIGHT COMPANY."\*\*

## SECTION

1. Name changed to Bethlehem Electric Company.
2. Powers of corporation fixed.

## SECTION

3. Corporation to be subject to public service commission.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That section 1 of chapter 206 of the Laws of 1897, <sup>Name changed to Bethlehem Electric Company.</sup> being "An Act to incorporate the Bethlehem Electric Light Company" is amended by striking out the word "Light" in the fifth line thereof, so that the corporate name of said company shall be the Bethlehem Electric Company.

SECT. 2. That section 2 of said act is repealed and the following <sup>Powers of corporation fixed.</sup> substituted instead thereof: SECT. 2. Said corporation is hereby empowered to generate, manufacture, produce, buy and supply electricity for purposes of light, heat and mechanical power for public and private use; and may lease, purchase, acquire, hold and improve property, real or personal, to an extent not exceeding in value its capital stock and bonds, which it shall be necessary or convenient for said corporation to do in carrying out the purposes of this act, with the right to sell, convey and dispose of the same at pleasure; and may from time to time extend its lines into other towns for the purpose of procuring electricity or supplying the same to any duly established public utility that shall desire such supply; and where no public utility exists may contract with persons and corporations for the use of electricity for any of said purposes and may contract with said town of Bethlehem, and the towns of Franconia, Whitefield and Jefferson, and other towns adjacent, or any village district that now is or may hereafter be organized in said towns, for electricity for public uses, on such terms as may be agreed upon and said towns or said districts are hereby authorized to contract with said corporation for electricity for public uses, and to raise money to pay for the same in the same manner money is raised for other purposes.

SECT. 3. Nothing in the charter of this corporation as hereby <sup>Corporation to be subject to public service commission.</sup> amended shall be construed to exempt said corporation from the supervision of the public service commission in respect to capitalization, engaging in business in territory already served by other utilities, character of service, rates for service, transfer of proper-

\* Amended by chapter 364, *post*.



ties or in any other particular, but said corporation shall be in all respects subject to supervision as if incorporated under the general law providing for the formation of voluntary corporations.

[Approved March 15, 1917.]

## CHAPTER 313.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 427 OF THE LAWS OF 1913, ENTITLED "AN ACT TO REVISE THE CHARTER OF THE CITY OF NASHUA," AUTHORIZING THE ESTABLISHMENT OF STREET SPRINKLING PRECINCTS WITHIN THE LIMITS OF SAID CITY.

### SECTION

1. Authority. Expense of sprinkling, how met.
2. City to bear such part of expense not exceeding one-third, as board of aldermen may determine.

### SECTION

3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority.  
Expense of  
sprinkling,  
how met.

SECTION 1. The board of aldermen of the city of Nashua are hereby empowered and authorized to establish by ordinance from time to time within the limits of said city such precinct or number of precincts as they shall deem necessary for the public convenience and to fix the boundaries thereof, and the same to enlarge, modify and alter as the public interests may require, and within any precinct so established the board of public works of said city may cause the streets to be sprinkled with water as they deem necessary for the public convenience or to preserve the health of the inhabitants of said city, and the expense of so sprinkling said streets shall be defrayed from a tax upon the polls, personal and real estate situate within said precinct, to be assessed and collected in the same way and manner as is now by law provided for assessing and collecting taxes within said city.

City to bear such  
part of expense  
not exceeding  
one-third, as  
board of aldermen  
may determine.

SECT. 2. The city of Nashua may pay a proportionate part of the expense of sprinkling said precincts when established, as the board of aldermen may deem advisable, not exceeding one-third part thereof.

Repealing clause;  
takes effect on  
passage.

SECT. 3. All acts or parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

[Approved March 15, 1917.]

## CHAPTER 314.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 427 OF THE LAWS OF 1913 ENTITLED "AN ACT TO REVISE THE CHARTER OF THE CITY OF NASHUA," AUTHORIZING THE ESTABLISHMENT OF GARBAGE PRECINCTS, WITHIN THE LIMITS OF SAID CITY.

## SECTION

1. Authority. Jurisdiction of board of health. Expense, how met.
2. City to bear such part of expense, not exceeding one-third, as board of aldermen may determine.

## SECTION

3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The board of aldermen of the city of Nashua are hereby authorized and empowered to establish by ordinance from time to time, within the limits of said city, such precinct or number of precincts as they shall judge necessary for the public safety and health, for the purpose of collecting and disposing of the garbage and refuse matter in said precinct or precincts, and to fix the boundaries thereof, and to enlarge, modify, define and alter the same, as the public interests may require, and within any precinct so established, the board of health of said city may cause the garbage and refuse matter to be collected and disposed of in such manner as they may deem necessary or proper for the public safety or for the preservation of the health of the inhabitants of said city; and said board of health may make such rules and regulations relating thereto, including the issuance of licenses and the establishment of a reasonable fee therefor, as in their judgment the public health and safety may require and all such rules and regulations shall be subject to the approval of the board of aldermen. The expense of collecting and disposing of the garbage and refuse matter in any of such precincts shall be defrayed by taxation upon the polls and personal and real estates situated within said precinct, to be assessed and collected in the same manner and way as is now by law provided for assessing and collecting taxes within said city.

SECT. 2. The city of Nashua may pay such proportionate part of the expense of collecting and disposing of said garbage and refuse when said precincts are established, as the board of aldermen may deem advisable, not exceeding one-third part thereof.

SECT. 3. All acts or parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

[Approved March 15, 1917.]

CHAPTER 315.

AN ACT TO AMEND THE CHARTER OF THE TRUSTEES OF THE DOW FUND  
AND DONATIONS TO THE METHODIST EPISCOPAL SOCIETY IN SALEM,  
OF 1826.

SECTION

1. Board of trustees created.
2. Board constituted, how; vacancies filled, how.
3. Authority to hold property, providing income therefrom does not exceed \$1,500 annually.

SECTION

4. Certain officers to be appointed by trustees.
5. First meeting of trustees, how called.
6. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Board of  
trustees created.

SECTION 1. Amend section 1 of said charter by striking it out and inserting in its place the following: SECTION 1. That the present board of trustees, John N. Bradford, Henry P. Taylor, William Parker, John P. Atwood, William H. Rolfe, L. Josie Philbrick, Jennie P. Taylor and Bertha L. Palmer and their successors, forever, be and hereby are incorporated and constituted a body politic by the name of The Trustees of the Dow Fund and Donations to the Methodist Episcopal Church or Society in Salem, and by that name may sue and be sued, prosecute and be prosecuted, defend and be defended to final judgment and execution in all acts and prosecutions whatsoever.

Board consti-  
tuted, how;  
vacancies filled,  
how.

SECT. 2. Amend section 2 of said charter by striking it out and inserting in its place the following: SECT. 2. And be it further enacted that said trustees shall never exceed nine in number, either men or women, nor be less than five, a majority of whom shall be a quorum for the transaction of business, but a less number may adjourn. And that vacancies in said board shall be filled by the Fourth Quarterly Conference, as provided by the discipline of said church.

Authority to  
hold property,  
providing income  
therefrom does  
not exceed \$1,500  
annually.

SECT. 3. Amend section 3 of said charter by striking it out and inserting in its place the following: SECT. 3. And be it further enacted that the land, money or other property heretofore bequeathed in and by a certain instrument, purporting to be the last will and testament of Moses Dow, deceased, to and for the support of the Methodist circuit ministers in said Salem, whereof one Alexander Gordon was appointed and constituted a trustee, and all the bequests and grants which have been and may hereafter be made for the use, support, and maintenance of the circuit minister, property and benevolences of the Methodist Episcopal church in said Salem, the aforesaid trustees and their successors forever, may take, hold, use and distribute according to the tenor of the bequest or grant, bequeathing or granting the same, and said trustees shall be

capable of taking, holding and administering any gift, grant or trust estate for the purposes aforesaid, *provided*, that the annual income thereof shall not exceed fifteen hundred dollars.

SECT. 4. Amend section 4 of said charter by striking it out and inserting in its place the following: SECT. 4. And be it further enacted that said trustees shall forever have full power to appoint a treasurer, clerk and other officers necessary for the proper management of said funds. Certain officers to be appointed by trustees.

SECT. 5. Amend section 6 of said charter by striking it out and inserting in its place the following: SECT. 6. And be it further enacted that John N. Bradford be authorized to call the first meeting of said trustees by giving to each trustee notice of the time, place and object thereof at least five days prior to the day of said meeting. First meeting of trustees, how called.

SECT. 6. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause: takes effect on passage.

[Approved March 15, 1917.]

## CHAPTER 316.

AN ACT TO AMEND SECTION 17 OF CHAPTER 241 OF THE SESSION LAWS OF 1893, ENTITLED "AN ACT TO ESTABLISH THE CITY OF LACONIA."

### SECTION

1. City clerk's salary fixed at \$900.

### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 17 of said chapter as follows: Strike out the word "six" in the last full line of said section and insert in place thereof the word nine, so that said section as amended shall read as follows: SECT. 17. The mayor and council shall, at their first meeting May 3, 1893, and thereafter annually, on the fourth Tuesday of March, meet for the purpose of taking their respective oaths, and shall elect a city clerk, who shall be clerk of the city council and have a salary of nine hundred dollars per annum. City clerk's salary fixed at \$900.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 15, 1917.]



CHAPTER 317.

AN ACT IN AMENDMENT OF THE CHARTER OF THE NEW HAMPSHIRE CENTENNIAL HOME FOR THE AGED GRANTED ON JUNE 28, 1876, AS AMENDED.

SECTION

- 1. Authority to maintain Home for Aged in Concord, and hold property of the value of \$500,000.

SECTION

- 2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority to maintain Home for Aged in Concord, and hold property of the value of \$500,000.

SECTION 1. Amend section 2 of chapter 118 of the Laws of 1876, as amended by section 1 of chapter 152 of the Laws of 1893, by striking out all of said section 2 and of said amendment, and inserting in said chapter 118, in place of said section 2, a new section to read as follows: SECT. 2. Said corporation is hereby authorized to establish and maintain in the city of Concord, an institution for the support and maintenance of aged people of both sexes, and for that purpose may take and hold real and personal estate, by donation, bequest or otherwise, to an amount not exceeding five hundred thousand dollars, and may sell, convey and dispose of the same at pleasure, and may erect and maintain such buildings and appurtenances as may be deemed necessary for the purposes of the corporation.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 15, 1917.]

CHAPTER 318.

AN ACT IN AMENDMENT OF SECTIONS 2, 3, 4 AND 6 OF CHAPTER 308, SESSION LAWS OF 1909 ENTITLED "AN ACT TO INCORPORATE THE CONWAY ELECTRIC LIGHT AND POWER COMPANY OF CONWAY."

SECTION

- 1. Capital increased from \$50,000 to \$100,000.
- 2. Authority.
- 3. Same, continued.

SECTION

- 4. Same, continued.
- 5. To be subject to public service commission.
- 6. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Capital increased from \$50,000 to \$100,000.

SECTION 1. Amend section 2 of said chapter by striking out in line two the words "fifty thousand dollars (\$50,000)" and insert instead thereof the words one hundred thousand dollars (\$100,-

000), so that said section as amended shall read as follows: SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars (\$100,000); it may acquire and hold real and personal estate necessary and convenient for carrying out the provisions of this act; and it may issue bonds and other obligations, secured by mortgage of its franchise and other property, to carry out the purposes for which it is created.

SECT. 2. Amend section 3 of said chapter by adding thereto <sup>Authority.</sup> after the word "agencies" in the fourth line of said section the words, and engage in the business of manufacturing and supplying electricity, so that said section as amended shall read as follows:

SECT. 3. This corporation shall have power and authority to manufacture machinery and appliances connected with and incident to the use of, and convenient for producing, developing, measuring, and utilizing electricity, and electrical agencies and engage in the business of manufacturing and supplying electricity for lighting, power, heating and mechanical purposes.

SECT. 3. Amend section 4 of said chapter by adding thereto <sup>Same, continued.</sup> after the word "Conway," in the second line the words Albany, Madison, and Tamworth and striking out the word "town" in the

second and fourth lines and inserting in place thereof the word towns, so that said section as amended shall read as follows: SECT.

4. This corporation shall have power and authority to sell and distribute electricity through said towns of Conway, Albany, Madison and Tamworth; may regulate the use of the same, and fix and collect rents to be paid for the same. The said towns and precincts therein are hereby authorized to contract with said corporation for electricity for public uses, on such terms as the parties may agree and to raise money therefor in the same manner as any other town and precinct charge.

SECT. 4. Amend section 6 of said chapter by inserting after the <sup>Same, continued.</sup> words "private way" in the fourth line thereof, the words *provided, however,* that said corporation shall not enter upon, or construct

any conduit, wire, pipe or other works over, under, or within the location of any railroad corporation, except at such times and in such manner as it may agree upon with such railroad corporation; or, in case of failure so to agree, as may be approved by the public service commission; and amend said section 6 by striking out in the fifth and seventh lines thereof the word "town" and inserting in place thereof the word towns so that said section as amended shall read as follows: SECT. 6. Said corporation may erect poles and place wires for the transmission of electricity, or may lay the same in subterranean tubes, through, or over the lands of any person or corporation, and under or over any railroad or private way; *provided, however,* that said corporation shall not enter upon, or construct any conduit, wire, pipe or other works over, under or within the location of any railroad corporation, except at such times and

in such manner as it may agree upon with such railroad corporation; or in case of failure so to agree, as may be approved by the public service commission, and having first obtained the permission of the municipal officers of said towns or precincts, and under such restrictions and regulation as they may prescribe, along the streets and ways of said towns; and may enter upon and dig up any such real estate, street or way for the purposes aforesaid; and it may do any other thing or act necessary or convenient or proper to carry out the purposes for which this corporation is created.

To be subject to public service commission.

SECT. 5. Nothing in this act shall be construed to exempt said corporation from the supervision of the public service commission in respect to capitalization, engaging in business in territory not now served by said corporation, character of service, rates for service, or in any other particular, but said corporation shall be in all respects subject to the supervision of the public service commission as provided for by chapter 164 of the Laws of 1911 and amendments thereto, and by chapter 115 of the Laws of 1915.

Takes effect on passage.

SECT. 6. This act shall take effect upon its passage.

[Approved March 15, 1917.]

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CHAPTER 319.

AN ACT TO EXTEND THE CHARTER OF THE UNION SURETY COMPANY.

SECTION

1. Extension to May 1, 1921.

SECTION

2. Repealing clause; takes effect on passage.

Extension to May 1, 1921.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The Union Surety Company, a corporation chartered by act of legislature, approved April 2, 1913, is hereby authorized to organize and commence business within four years from May 1, 1917, and if said corporation shall not organize and commence within said time, its charter shall thereupon become null and void.

Repealing clause; takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 15, 1917.]

## CHAPTER 320.

## AN ACT TO AMEND THE CHARTER OF THE CITY OF BERLIN.

## SECTION

1. Assessors, appointed how and when. Tenure of office; salary. Same as to board of health; city treasurer; city auditor; collector of taxes; solicitor; highway commissioner; sewer commissioner; inspector of buildings; city engineer; chief and assistant engineers of fire department. Salaries.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend chapter 121 of the Laws of 1897 by striking out all of section 14 of said chapter and inserting in the place thereof the following new section: SECT. 14. Said mayor, within one week of said annual meeting held on the last Monday of March, 1910, shall appoint, subject to confirmation by the council, a board of three assessors, to hold office from the first day of April, 1910, one of whom shall be chosen for three years, one for two years, and one for one year, and thereafter annually at said time, shall appoint, subject to the confirmation of the council, one assessor who shall hold office for three years, who shall receive for their services such salary as shall be fixed by the city council, not to exceed the sum of five hundred dollars each per annum; said assessors shall in addition to their salary, be allowed the sum of not exceeding one hundred fifty dollars per annum for clerk hire; and said mayor shall also, within thirty days of said annual meeting, appoint, subject to confirmation of said council, a board of health of not more than three persons, one of whom shall be chosen for three years, one for two years, and one for one year, and thereafter annually at said time shall appoint, subject to confirmation of the city council, one member of the board of health, who shall hold office for three years; a city treasurer, who shall serve also as treasurer of the board of education and receive as compensation such salary as shall be fixed by the city council, not to exceed the sum of four hundred dollars per annum, payable quarterly; city auditor, collector of taxes, city solicitor, highway commissioner, sewer commissioner, inspector of buildings and city engineer; and within thirty days of said annual meeting, the said mayor shall also appoint, subject to such confirmation, a chief engineer and assistant engineer of the fire department, and may create such other governmental departments and appoint, subject to confirmation as hereinbefore set forth, such officers or agents as are necessary for the good government of the city not otherwise provided for. Said council shall receive a fee of two



dollars each for actual attendance at all regular, special or adjourned meetings, *provided, however*, that the total sum to be paid to each councilman for attendance at all meetings shall not exceed seventy-five dollars per annum; and in addition thereto an annual salary of fifty dollars shall be paid to each member of the committee of public works, and an annual salary of twenty-five dollars shall be paid to each member of the committee of accounts and claims.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All amendments to said section 14 of said chapter 121 of the Laws of 1897 and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect April 1, 1917.

[Approved March 20, 1917.]

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## CHAPTER 321.

AN ACT TO AUTHORIZE THE STOCKHOLDERS OF THE ROCHESTER LOAN AND BANKING COMPANY TO CHANGE THE NAME OF SAID INSTITUTION TO ROCHESTER TRUST COMPANY.

### SECTION 1. Authority.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority.

SECTION 1. The stockholders of the Rochester Loan and Banking Company at any meeting where legal notice has been given that the matter would be considered may, by majority stock vote of the shares represented, vote to change the name of said company to Rochester Trust Company and by a similar majority stock vote the stockholders may delegate to the directors of said institution the power to decide, by majority vote of the board, the date when the change of name shall take effect; *provided, however*, the change of name shall not take effect until copies of said stockholders' and directors' votes, duly certified by the clerk of the company and board of directors, have been filed with the secretary of state.

[Approved March 20, 1917.]

## CHAPTER 322.

AN ACT IN AMENDMENT OF CHAPTER 269 OF THE LAWS OF 1915, RELATING TO THE ESTABLISHMENT OF WATER-WORKS IN THE TOWN OF TROY.

## SECTION

1. Laws of 1915, ch. 269, sect. 8, repealed.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 8 of chapter 269 of the Laws of 1915, "An Act to establish water-works in the town of Troy," is hereby repealed. Repealed. Laws of 1915, ch. 269, sect. 8.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 20, 1917.]

## CHAPTER 323.

AN ACT IN AMENDMENT OF AND IN ADDITION TO THE CHARTER OF THE CITY OF NASHUA, CONFERRING ADDITIONAL POWERS UPON THE BOARD OF POLICE COMMISSIONERS IN CERTAIN CASES.

## SECTION

1. Police commission, powers and duties.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend section 5 of chapter 208 of the Laws of 1891, entitled "An Act in amendment of the charter of the city of Nashua creating a board of police commissioners for said city" by striking out the words "either by suspension or expulsion from the force, as they see fit," and inserting in place thereof the following: The said commissioners shall have full and complete care and control of all lands and buildings thereon, used and erected for the use of the police department; and whenever the same shall cease to be used for said purpose, they shall revert to the care and control of the city. All buildings erected, altered, remodeled, or changed, for the use of the police department shall be constructed and made under the joint direction of the commissioners and the land and buildings committee of the board of aldermen; and no building shall be erected, altered, remodeled, or changed, unless the plans Police commission, powers and duties.

thereof have been previously submitted to the board of police commissioners and approved by it, and upon completion thereof they shall be and continue in the sole control and care of the commissioners, so that said section as amended shall read as follows:

SECT. 5. The police commissioners shall have full power to make all rules for the government of the police force, and to enforce said rules. The said commissioners shall have full and complete care and control of all lands and buildings thereon, used and erected for the use of the police department; and whenever the same shall cease to be used for said purpose, they shall revert to the care and control of the city. All buildings erected, altered, remodeled, or changed, for the use of the police department shall be constructed and made under the joint direction of the commissioners and the land and buildings committee of the board of aldermen; and no building shall be erected, altered, remodeled, or changed, unless the plans thereof have been previously submitted to the board of police commissioners and approved by it, and upon completion thereof they shall be and continue in the sole control and care of the commissioners.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

[Approved March 20, 1917.]

## CHAPTER 324.

### AN ACT TO INCORPORATE THE TROY BLANKET MILLS RAILWAY.

#### SECTION

1. Corporation created.
2. Capital stock.
3. Location, across highway, how obtained.
4. Location elsewhere, how obtained.
5. May acquire by lease or contract, right to use the track of Troy Granite Railway. Procedure.
6. Selectmen to locate tracks, poles, etc., in highways.
7. Selectmen to make rules and orders as to use of highways.

#### SECTION

8. Town may alter highway without liability to railway.
9. Railway to keep highway in repair within its tracks and for space of eighteen inches on each side.
10. Railway subject to provisions of general laws.
11. First meeting, how called.
12. Takes effect on passage; but void as to parts not ready for operation in two years.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation  
created.

SECTION 1. Franklin Ripley, Walter R. Porter, Franklin Ripley, Jr., William H. Elliot and John Elliot, their associates, successors, and assigns, are hereby made a corporation by the name of the Troy

Blanket Mills Railway, with power to construct, maintain, and operate a railway with convenient sidings, turnouts and switches, from some convenient point on the line of the Fitchburg Railroad, in the town of Troy, in the county of Cheshire, over and upon such highways and lands as may be necessary, to some convenient point near the mills of the Troy Blanket Mills, in said town of Troy; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generating of electricity or other motive power, except steam, for the operation of said railway.

SECT. 2. The capital stock of said corporation shall not exceed Capital stock. fifteen thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall not at any time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of chapter 27 of the Laws of 1895.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of said town. The selectmen of said town, upon petition of the directors of said railway for a location of its track on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and, after a public hearing of all parties interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the public service commission, whose decision shall be final; and the expense of making such change in location shall be apportioned by the public service commission between the railroad and the town, as such commission may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways. Location, across highway, how obtained.



Location else-  
where, how  
obtained.

SECT. 4. All parts of said railroad not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges, and be subject to all duties, restrictions, and liabilities contained in said chapter.

May acquire by  
lease or contract,  
right to use the  
track of Troy  
Granite Railway.  
Procedure.

SECT. 5. Said corporation is empowered to contract with and lease from the Troy Granite Railway such portions of the track and right of way of said Troy Granite Railway as it may need to use in connection and in common with said railroad hereby incorporated, on such terms as may be agreed upon and for a term not to exceed ninety-nine years. Said Troy Granite Railway is hereby authorized to enter into said contract and lease. If the Troy Granite Railway and this corporation cannot agree upon the terms and conditions of such lease and contract and the necessity therefor and the amount to be paid therefor, either corporation may petition the public service commission for the determination of the same, and said public service commission shall thereupon on due notice to all parties in interest, hear and determine the necessity for the rights sought for, and the compensation to be paid therefor, and shall thereupon make such orders and judgment as may be just and reasonable; and upon the payment of such sums including costs as may be determined, this corporation may enter on and use the tracks and right of way of said Troy Granite Railway under such orders as said public service commission may make governing the use thereof. If the rights asked for shall be granted a certified copy of the petition and final decree thereon shall be recorded in the office of the town clerk of said Troy. Any party aggrieved by the order of the commission awarding damages may, within sixty days after the entry of the order and not afterwards, file in the superior court of the county in which the land is located a petition to have the damages assessed by a jury, upon which petition order of notice shall issue, and after the order of notice has been complied with the court shall assess such damages by jury.

Selectmen to  
locate tracks,  
poles, etc., in  
highways.

SECT. 6. The selectmen of said town shall have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway in any highway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor: and from such orders there shall be no appeal.

Selectmen to  
make rules and  
orders as to use  
of highways.

SECT. 7. The selectmen of said town may from time to time make such reasonable orders, rules and regulations with reference to that portion of said railway occupying the public highways, as to the rate of speed, the manner of operating said railroad, the recon-

struction of tracks, poles, wires, and switches, and turnouts within any highway, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by the selectmen shall be forthwith recorded in the records of said town. The railway company, or any person interested, may at any time appeal from such designations, orders, rules and regulations thus made and established to the public service commission, who shall upon notice hear the parties and finally determine the questions raised by said appeal.

SECT. 8. Said town, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation. Town may alter highway without liability to railway.

SECT. 9. Said railway corporation shall keep in repair, to the satisfaction of the road commissioner or surveyor of highways in said town, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damages, loss or injury that any person not in its employ may sustain by reason of the carelessness, negligence or misconduct of its agents and servants in the construction, management or use of its tracks. Railway to keep highway in repair within its tracks and for space of eighteen inches on each side.

SECT. 10. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein. Railway subject to provisions of general laws.

SECT. 11. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting. First meeting, how called.

SECT. 12. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage. Takes effect on passage; but void as to parts not ready for operation in two years.

[Approved March 20, 1917.]

CHAPTER 325.

AN ACT TO EXTEND THE CHARTER OF THE NORTHERN FIDELITY AND TRUST COMPANY.

SECTION

1. Time extended to May 1, 1918. Limitations as to charter; and issuance of capital stock. Place of business to be at Keene.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Time extended to May 1, 1918. Limitations as to charter; and issuance of capital stock. Place of business to be at Keene.

SECTION 1. The Northern Fidelity and Trust Company, a corporation chartered by act of the legislature approved March 21, 1901, is hereby authorized to organize and commence business within one year from May 1, 1917; and if said corporation shall not organize and commence business within said time its charter shall thereupon be rendered void. Nothing contained in this act shall permit said corporation to transact any business forbidden by chapter 120 of the Laws of 1911, or of chapter 109 of the Laws of 1915. It shall be unlawful for said corporation to issue any shares of stock until the par value of said shares together with a surplus equal to twenty per cent. of said par value shall have been paid in in cash. Said corporation shall be located in Keene.

Repealing clause; takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 20, 1917.]

CHAPTER 326.

AN ACT TO INCORPORATE THE BEEBE RIVER RAILROAD.

SECTION

1. Corporation created.
2. Powers of corporation; location of railway.
3. Capital stock. Right to collect toll for persons or property transported.

SECTION

4. Board of directors. Powers.
5. First meeting, how called.
6. Ten years allowed to complete road.
7. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation created.

SECTION 1. That Herbert B. Moulton, Fred E. Thorp, Martin A. Brown, George H. Green, Carl A. Hall, and Edward K. Woodworth, their associates, successors, and assigns, are hereby made a

corporation by the name of the Beebe River Railroad, with all the rights, powers, and privileges, and subject to all the liabilities, duties, and restrictions of the laws of this state relating to railroads.

SECT. 2. Said corporation is authorized and empowered to locate, construct, and maintain a railroad, not exceeding six rods in width, with the necessary additions for excavations and embankments, from a point in the town of Campton, near the point where the Pemigewasset Valley Railroad crosses the Beebe river; thence in a general easterly direction following the general course of the said Beebe river to a point on the dividing line between said town of Campton and the town of Sandwich where said Beebe river crosses said dividing line; thence continuing in a general easterly direction following the general course of said Beebe river to some convenient point near the shore of Guinea Pond in said town of Sandwich; thence easterly and northeasterly in the watersheds of said Beebe river and the Bearcamp river, so called, through the towns of Sandwich and Waterville to some convenient point or points in said Bearcamp watershed in said town of Waterville or said town of Sandwich; with authority to construct and maintain necessary spurs and sidings; with the right to lease said railroad to any railroad with which it may connect.

SECT. 3. The capital stock of said corporation shall consist of not more than two thousand shares of one hundred dollars each, to be determined from time to time by the board of directors; and a toll is hereby granted to said corporation upon all persons and property that may be transported by said railroad.

SECT. 4. The board of directors shall consist of five persons, who shall be chosen annually, and all powers granted to this corporation relating to the location, construction, and maintenance of said railroad are hereby vested in the board of directors.

SECT. 5. Any two of the above named grantees may call the first meeting of said corporation by posting a notice of the time and place in any newspaper published in Grafton county, at least one week previous to the day of the meeting.

SECT. 6. Whereas this road is designed for the transportation of wood and lumber and it may be necessary to construct parts of it at different times; therefore, the time of completion of said railroad shall be ten years from the passage of this act, and this act shall be void as to any and all parts of said railroad not completed within said ten years.

SECT. 7. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 20, 1917.]



CHAPTER 327.

AN ACT TO LEGALIZE THE TOWN ELECTION OF THE TOWN OF CHATHAM  
HELD MARCH 14, 1916.

SECTION

1. Votes and proceedings legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Votes and  
proceedings  
legalized.

Takes effect on  
passage

SECTION 1. The town election of the town of Chatham held  
March 14, 1916, is hereby legalized, ratified and confirmed.

SECT. 2. This act shall take effect upon its passage.

[Approved March 20, 1917.]

CHAPTER 328.

AN ACT TO AMEND CHAPTER 286 OF THE LAWS OF 1915, ENTITLED "AN  
ACT TO INCORPORATE THE ERROL AND BERLIN ELECTRIC RAILWAY  
COMPANY."

SECTION

1. Name changed.
2. Terminus of line fixed. Powers.
3. Capital stock.

SECTION

4. To be subject to public service com-  
mission.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Name changed.

SECTION 1. Amend the title of said act by inserting after the  
word "Railway" the following words, and Power, so that said title  
when amended shall read as follows: An Act to incorporate the  
Errol and Berlin Electric Railway and Power Company.

Terminus of line  
fixed. Powers.

SECT. 2. Amend section 1 of said act by inserting after the  
word "Railway" in the fourth line of said section the following  
words and Power, and by striking out after the word "switches"  
in the sixth line of said section the following words, "from the  
northerly terminus of the Berlin Street Railway in the city of Ber-  
lin, in the county of Coös" and substituting in place thereof the  
following words, from a point on the easterly side of the Andros-  
coggin river in the city of Berlin, in the county of Coös, which said  
point shall be as far north as the Berlin Street Railway now ex-  
tends; and by adding after the word "maintain" in the ninth line  
of said section the words pole lines; and by adding after the word

“generation” in the tenth line of said section the words and transmission; and by adding to the end of said section the following words, and for other uses, so that said section as amended shall read as follows: SECTION 1. N. R. Leach, Homer R. Leach, Albert W. Kelley, Alphonso Curtis, and Leroy H. Bragg, their associates, successors and assigns, are hereby made a corporation by the name of the Errol and Berlin Electric Railway and Power Company, with power to construct, maintain and operate a railway, with convenient sidings, turnouts and switches from a point on the easterly side of the Androscoggin river in the city of Berlin, in the county of Coös, which said point shall be as far north as the Berlin Street Railway now extends, to some convenient point in the town of Errol in said county; and may also construct and maintain pole lines, suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation and transmission of electricity or other motive power, except steam, for the operation of said railway, and for other uses.

SECT. 3. Amend section 2 of said act by inserting after the word “thereof” in the sixth line of said section the following words and for other uses so that said section as amended shall read as follows: SECT. 2. The capital stock of said corporation shall not exceed one million dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company shall issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and for other uses; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

SECT. 4. Said chapter 286 of the Laws of 1915 is further amended by adding at the end of section 9 thereof the following: Nothing in this act contained shall be construed as authorizing said corporation to engage in any business as a public utility, without first having obtained the permission and approval of the public service commission, so that said section 9 as amended shall read as follows: SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein. Nothing in this act contained shall be construed as authorizing said corporation to engage in any business as a public utility, without first having obtained the permission and approval of the public service commission.

SECT. 5. This act shall take effect upon its passage.

To be subject to  
public service  
commission.  
  
Takes effect on  
passage.

[Approved March 27, 1917.]

CHAPTER 329.

AN ACT TO ESTABLISH THE NORTH HAVERHILL ELECTRIC, WATER AND POWER COMPANY IN THE TOWN OF HAVERHILL, IN THE COUNTY OF GRAFTON, STATE OF NEW HAMPSHIRE.

SECTION	SECTION
1. Corporation created.	7. Seal. By-laws.
2. Capital stock.	8. First meeting. Election of officers.
3. Bonded indebtedness limited.	9. To be subject to public service commission.
4. Powers.	10. Right to repeal, etc., reserved. Takes effect on passage.
5. Powers as to use of highways.	
6. Powers, erection of dams. Eminent domain extended to.	

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation created.	SECTION 1. That William E. Lawrence, Frank N. Keyser, Edward M. Clark, Helen M. Clark and Harold J. Clark, and their successors and assigns, shall be, and hereby are made a body politic and corporate by the name of the North Haverhill Electric, Water and Power Company, to be located in the town of Haverhill, in this state, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to all liabilities under the laws of this state applicable thereto, so far as the same are not inconsistent with this act.
Capital stock.	SECT. 2. The capital stock of this corporation shall be not exceeding fifty thousand dollars (\$50,000) to be divided into shares of the par value of one hundred dollars (\$100) each.
Bonded indebtedness limited.	SECT. 3. Said corporation may issue bonds and other obligations, secured by mortgage of its franchise and other property, to carry out the purposes for which it is created; but such corporation may issue capital stock and bonds to such an amount only as may be necessary for the purposes authorized in this charter, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in; of which capital stock so much shall be preferred, and be preferred in such manner, under such terms and with conditions as a majority of the stockholders of said North Haverhill Electric, Water and Power Company present and voting at a meeting for said purpose shall determine.
Powers.	SECT. 4. This corporation shall have the power and authority to own, operate and manufacture machinery and appliances connected with and incident to the use of, and convenient for producing, developing, distributing, measuring and utilizing electricity, electrical agencies for lighting, power, heating, and mechanical purposes, and appliances for distributing, measuring and utilizing water for any lawful purpose.

SECT. 5. This corporation may erect poles and place wires for the transmission of electricity, or may lay the same in subterranean tubes, and may lay water pipes for the distribution of water, through or over the lands of any person or corporation, and over or under any railroad or private way; *provided, however,* that said corporation shall not enter upon, or construct any conduit, wire, pipe or other works over, under, or within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such railroad corporation; or, in case of failure so to agree, as may be approved by the public service commission, and, having first obtained the permission of the municipal officers of said towns or precincts, and under such restrictions and regulations as they may prescribe, along the streets and ways of any town or precinct; and may enter upon and dig up any such real estate, street or way for the purposes aforesaid; and it may do any other thing or act necessary or convenient or proper to carry out the purposes for which this corporation is created.

Powers as to use  
of highways.

SECT. 6. This corporation is hereby authorized to erect dams at or near the outlet of French Pond and on Bacon Brook and its tributaries in said Haverhill, and to raise and hold back the waters of said pond and brook for purposes of storage and power development. And for said purposes, and for the construction and extension of its works, plant and system, it may flow any lands, and may enter upon and take any real estate, including any right of way or easement, or any personal property, belonging to any individual, partnership or corporation, under and by virtue of the law or eminent domain; *provided,* that if it shall be necessary to enter upon and appropriate any private property or any right or easement therein, as provided in this or any previous section herein, and said corporation cannot agree with the owner or owners of such property as to the necessity of the taking or the price to be paid therefor, said corporation may petition the public service commission for such right and easements or for permission to take such lands or other property as may be needed for said purposes; and the proceedings on such petition shall be in accordance with the provisions of the general law relating to the taking of lands and rights and easements therein by public utilities. The provisions of this act shall not be so construed as to allow the taking by eminent domain of the property of any existing electric light, water or power company.

Powers, erection  
of dams.  
Eminent domain  
extended to.

SECT. 7. This corporation may have a corporate seal and may make such by-laws not in conflict with the laws of the state as it may require, and may fix the time and place for holding the annual meeting.

Seal. By-laws.

SECT. 8. Any person named in this act may call the first meeting of the corporation by personal notice to all the grantees, or by publication in any newspaper printed in said Haverhill, at least ten

First meeting.  
Election of  
officers.



days prior to the time of holding said meeting, at which meeting or any other meeting duly called, or any adjournments thereof, associates may be elected, by-laws adopted, and a president, clerk and such other officers and agents as may be determined necessary may be chosen, who shall hold office until the first annual meeting thereafter, or until their successors shall be chosen at a meeting of the stockholders legally called.

To be subject to public service commission.

SECT. 9. Nothing in this act shall be construed to exempt the corporation hereby created from the supervision of the public service commission in respect to capitalization, engaging in business in territory already served by other utilities, character of service, rates for service, or in any other particular, but said corporation shall be in all respects subject to the supervision as if incorporated under the general law providing for the formation of voluntary corporations.

Right to repeal, etc., reserved. Takes effect on passage.

SECT. 10. The legislature may alter, amend or repeal this act whenever the public good may require the same, and this act shall take effect upon its passage.

[Approved March 27, 1917.]

CHAPTER 330.

AN ACT ESTABLISHING A FIRE COMMISSION FOR THE CITY OF MANCHESTER.

SECTION

- 1. Fire department established.
- 2. Fire commissioners authorized. How appointed. Tenure of office. Qualifications. Organization of. Meetings of.

SECTION

- 3. Powers and duties.
- 4. Powers as to finances. Annual budget.
- 5. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Fire department established.

SECTION 1. The Manchester Fire Department is hereby established.

Fire commissioners authorized. How appointed. Tenure of office. Qualifications. Organization of. Meetings of.

SECT. 2. Upon the passage of this act the mayor, with the approval of the board of aldermen, shall appoint three citizens of Manchester to be known as fire commissioners, one of whom shall serve for a term of one year from May 1, 1917, one for two years and one for three years from said date and until their successors are appointed and qualified, and in the month of April in every year hereafter the mayor, with the approval of the board of aldermen,

shall appoint one commissioner for a term of three years from the first day of May following and until his successor is appointed and qualified. No person holding an elective or appointive political office shall be eligible for appointment on said commission. As soon as convenient after their appointment said commissioners shall organize by choosing one of their members chairman and one other clerk. The clerk shall receive in full for all services performed the sum of one hundred and fifty dollars per year, and each of the others the sum of one hundred dollars per year. Meetings of said commissioners shall be held upon call of the chairman or mayor or upon such dates as the commissioners may designate.

SECT. 3. Said commissioners shall be vested with full control and management of said department including the fire alarm telegraph system, shall purchase and keep in repair all apparatus used therefor; shall purchase all necessary supplies for the maintenance thereof; shall appoint a chief of the department, deputy chiefs, officers and firemen who shall serve during good behavior and may suspend, pending charges filed, or dismiss, or demote the same for cause, after trial, and shall fix their compensation subject to existing law, except that the salaries of the chief and deputy chiefs shall be subject to approval by the mayor; shall have and exercise all the powers and duties conferred by statute upon fire wards and shall have all the powers and duties conferred by ordinance upon the board of engineers of said city subject to such changes, not inconsistent with this act, as the board of mayor and aldermen may hereafter enact. Powers and duties.

SECT. 4. Said commissioners shall have the expenditure of all money appropriated for the use of this department, and all bills for expenditures shall be approved by the chairman or by some member by him designated and by the mayor before being paid by the city treasurer, and said commissioners shall on or before the fifteenth day of January annually prepare and transmit to the board of mayor and aldermen an estimate of the sum of money needed for this department for the ensuing year, together with such other information and recommendations as they may deem for the best interests of said city. Powers as to finances. Annual budget.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage. Repealing clause: takes effect on passage.

[Approved March 27, 1917.]

CHAPTER 331.

AN ACT RELATING TO THE MEMORIAL HALL, FRANKLIN.

SECTION

1. Made a part of ward three.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Made a part of ward three.

SECTION 1. That the opera house, in Memorial Hall building, in the city of Franklin is hereby annexed to and made a part of ward 3 of said city.

Repealing clause; takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 27, 1917.]

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CHAPTER 332.

AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATING TO SCHOOL BOARD.

SECTION

1. Mayor to be *ex-officio* member of school board, same powers as other members.

SECTION

2. Treasurer of city to be treasurer of school district.  
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Mayor to be *ex-officio* member of school board, same powers as other members.

SECTION 1. The mayor of the city of Dover shall be a member of the school board of said city, and shall have the same powers and duties as other members.

Treasurer of city to be treasurer of school district.

SECT. 2. The treasurer of the city of Dover shall be the treasurer of the school district of said city, and all checks issued by said school district shall be issued by the treasurer upon warrant of school board, and countersigned by such member of said board as they shall designate.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 27, 1917.]

## CHAPTER 333.

AN ACT TO AMEND THE CHARTER OF THE CITY OF MANCHESTER TO PROVIDE A SALARY FOR THE BOARD OF ALDERMEN.

## SECTION

1. \$200 per annum allowed.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The members of the board of aldermen of the city of Manchester shall be paid in full for all time and services the sum of two hundred dollars per year, payable quarterly. \$200 per annum allowed.

SECT. 2. All acts, parts of acts and amendments to the city charter inconsistent with this act are hereby repealed and this act shall take effect April 1, 1917. Repealing clause; takes effect on passage.

[Approved March 27, 1917.]

## CHAPTER 334.

AN ACT TO AMEND CHAPTER 196 OF THE LAWS OF 1899, ENTITLED "AN ACT TO AMEND CHAPTER 204 OF THE LAWS OF 1887, RELATING TO THE POWERS OF THE WOODSVILLE FIRE DISTRICT."

## SECTION

1. Fiscal year to end February fifteenth.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 7 of said act is hereby amended by striking out in the thirteenth line thereof the words "first day of March" and inserting instead thereof the words fifteenth day of February, so that said section as amended shall read as follows: SECT. 7. The district commissioners shall annually prepare and submit in printed pamphlets a detailed account of all their transactions, their receipts and expenditures, statements of the prices paid for labor and material, to whom, for whom and for what all such payments have been made, a statement of the indebtedness of the district, if any exist, and a statement of all outstanding bills due or claimed to be due against the district at the close of the fiscal year. Such accounts shall be audited by the district auditors before the first day of March in each year, and in their report said auditors shall Fiscal year to end February fifteenth.



state in regard to any illegal expenditures that they may find in the transactions of the commissioners or of the surveyor of the district. The fiscal year of the district shall end on the fifteenth day of February. The annual meeting shall be holden in the month of March after the second Tuesday. In every case vouchers shall be taken for different funds paid out.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 27, 1917.]

CHAPTER 335.

AN ACT TO CHANGE THE NAME AND TO AMEND THE CHARTER OF THE CITIZENS INSTITUTION FOR SAVINGS OF NASHUA.

SECTION

- 1. Surplus to be divided among depositors *pro rata*; thereafter depositors deemed general depositors.
- 2. Guaranty fund of \$30,000 to be maintained. Special and general deposits regulated.
- 3. Interest on general deposits.
- 4. Reorganization, procedure. Rights of special depositors.

Surplus to be divided among depositors *pro rata*; thereafter depositors deemed general depositors.

SECTION

- 5. Special depositors are members of corporation. Board of trustees.
- 6. Name changed to Citizens Guaranty Savings Bank.
- 7. Right to repeal reserved. Act to take effect when adopted by majority of members. Repealing clause.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Upon application of the trustees of said bank it shall be the duty of the bank commissioners to appraise at the cash value all the assets of said bank, and after setting aside any sum which may be necessary to meet any liabilities of the bank, and after crediting each depositor's account with interest at the rate of three and one-half per cent. from July 1, 1916 (the date of the last addition of interest) to make an additional credit to each depositor's account of its share of the surplus, if any, that they may find the bank to have, to the end that, after such additions, the amount due depositors, as shown by the books of the bank, shall equal the cash value of the assets of the bank; and after said adjustment by the commissioners all persons who may have deposits, as well as those who may become depositors, shall be known as general depositors.

Guaranty fund of \$30,000 to be maintained. Special and general deposits regulated.

SECT. 2. For the better protection and security of the general depositors of the bank, it shall provide for and have a permanent guaranty fund of not less than \$30,000. Said fund shall be kept and maintained as a guaranty to the general deposits for the repayment of said deposits according to the terms and conditions thereof,

in case of any insufficiency of the assets of the bank to pay all of its liabilities; and the general depositors shall have the precedence of payment from said assets of the bank before payment from said assets on account of said guaranty fund; and no business in the way of receiving general deposits shall be transacted by the bank unless the amount of \$30,000 shall have been provided for said guaranty fund. The special deposits shall at no time be less than ten per cent. of the general deposits, nor shall said special deposits be increased by amounts of less than five thousand dollars at one time.

SECT. 3. The general deposits shall be entitled to such rate of interest from the bank as may be prescribed or agreed to, and the book given general depositors for making their first deposit shall state therein the rate of interest to be paid; and no change can be made therefrom until after three months' notice of the proposed change has been given by mailing notice of the same to each and every depositor directed to his last known residence.

SECT. 4. Upon the reorganization it shall be the duty of the bank to send by mail a circular notice to each depositor of the rate per cent. of interest to be paid; and the special deposits of the guaranty fund shall not be entitled to any interest, but instead thereof shall have all the net income and profits of the bank above its expenses, the interest due the general depositors as aforesaid, and all losses of the bank; and said net income and profits shall be divided proportionately among said special depositors at such times and in such ways as the bank or its trustees may order; *provided, however,* that such dividends shall be made only when the net resources of the bank, above its expenses, its liabilities for general depositors, and the guaranty fund aforesaid, shall be sufficient to pay the same.

SECT. 5. The special depositors for the guaranty fund and their assigns shall by virtue thereof become and be members of the corporation, and have and exercise all the rights and powers of the same, each special depositor being entitled to one vote for each one hundred dollars of his said deposit; but no member shall incur or be subject to any individual liability in any case for any debts or liabilities of the corporation; and the management and control of the affairs of the corporation shall be vested in a board of trustees to be chosen by the members of the corporation. A majority of said board at any meeting duly notified shall constitute a quorum for the transaction of business; and said board shall have the power to make and establish such rules and regulations as may be necessary for the transaction of the business of the corporation. Upon the reorganization and subscription to the guaranty fund to the full amount of \$30,000 the subscribers to said fund shall take the places of and fulfill all the duties of the present members of the corporation.

Name changed  
to Citizens  
Guaranty Savings  
Bank.

Right to repeal  
reserved. Act to  
take effect when  
adopted by  
majority of  
members. Repeal-  
ing clause.

SECT. 6. The name of said Citizens Institution for Savings is hereby changed to Citizens Guaranty Savings Bank.

SECT. 7. This act may be amended or repealed whenever the public good may require, and shall take effect whenever the same is adopted by majority vote of the present members of the corporation. All such portions of the charter of the Citizens Institution for Savings as are inconsistent with this amendment are hereby repealed.

[Approved March 27, 1917.]

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CHAPTER 336.

AN ACT TO CHANGE THE NAME OF THE SANBORNTON BAPTIST ASSOCIATION AS ESTABLISHED BY THE LAWS OF 1803, AND AMENDED BY THE LAWS OF 1807.

SECTION

1. Name changed to First Baptist Society in Sanbornton.

SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Name changed to  
First Baptist  
Society in  
Sanbornton.

Repealing clause;  
takes effect on  
passage.

SECTION 1. That the corporate name of the Sanbornton Baptist Association be and hereby is changed to that of the First Baptist Society in Sanbornton.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 27, 1917.]

CHAPTER 337.

AN ACT TO CHANGE THE NAME OF THE FIRST CONGREGATIONAL SOCIETY  
IN NEW CHESTER AS ESTABLISHED BY CHAPTER 64, LAWS OF 1816.

SECTION	SECTION
1. Name changed to First Congrega- tional Society in Hill.	2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. That the corporate name of the First Congregational Society in New Chester be and hereby is changed to that of the First Congregational Society in Hill.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 27, 1917.]

CHAPTER 338.

AN ACT IN AMENDMENT OF CHAPTER 188 OF THE LAWS OF 1905, EN-  
TITLED "AN ACT AUTHORIZING THE TOWN OF GORHAM TO ESTABLISH  
WATER-WORKS AND SEWERS."

SECTION	SECTION
1. Authority.	to what extent and rate of interest.
2. Powers and duties.	4. Takes effect on passage.
3. Indebtedness, bonded how, when, and	

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Amend section 1 of chapter 188 of the Laws of 1905 by inserting after the word "manage" and before the word "suitable" in the second line of said section as printed the following words: according to the needs of different sections of said town, one or more individual and independent systems of; further amend said section by striking out the words "a system" in the seventh line of said section and inserting in place thereof the words according to the needs of different sections of said town one or more individual or independent systems of so that said section, as amended, shall read: SECTION 1. The town of Gorham is authorized and empowered to construct, own, maintain and manage, according to the needs of different sections of said town, one or



more individual and independent systems of suitable water-works for the purpose of supplying said town with an adequate supply of pure water for the extinguishment of fires, for the use of its inhabitants and for other purposes; it is also authorized and empowered to construct, own, maintain and manage, according to the needs of different sections of said town, one or more individual or independent systems of sewers with all necessary manholes, catch basins, flush tanks, traps and other apparatus and fixtures proper and convenient for the purpose of adequately draining and sewer-ing the streets and buildings of said town; and may acquire by purchase or otherwise any existing sewer or sewer rights owned and operated by any individual, partnership, or corporation in the public streets of said town; and for such purposes may take, purchase and hold, in fee simple, or otherwise, any real or personal estate and any rights therein necessary to carry into effect the purposes of this act; and may excavate and dig canals and ditches and lay pipes in any street, highway, or other place through which it may be necessary and proper for building said water-works and system of sewers and necessary appurtenances thereto, and may relay, extend and repair the same at pleasure, having due regard for the safety of persons and property and the security of the public travel.

Powers and  
duties.

SECT. 2. Amend section 2 of said chapter by inserting after the word "town" and before the words "not now belonging" in the third line of said section as printed the words or in any adjoining city or town; further amend said section by inserting between the word "town" and the words "which may be necessary" in the twelfth line of said section as printed the words or in any adjoining city or town; further amend said section by inserting between the word "land" and the words "that may be necessary" in the twentieth line of said section as printed the words in said town or in any adjoining city or town; and further amend said section by adding at the end thereof the following: The authority granted in this section shall be subject to chapter 40 of the Laws of 1911, relating to taxation of land in one town held by another town for water supply, so that said section, as amended, shall read: SECT. 2. Said town is authorized and empowered to enter upon, take and appropriate any stream, spring or pond in said town or in any adjoining city or town not now belonging to and in actual use by, any aqueduct or water-works company, or other corporation or individual, as a source of supply to any aqueduct now laid and supplying water to any of the inhabitants of said town and not now owned or used by a manufacturing corporation for domestic or manufacturing purposes; to secure the same by fence or otherwise; and to dig ditches and canals, make excavations, distribute and lay pipe and other necessary appurtenances of said water-

works and sewer system, build dams and reservoirs, through, over, in, or upon any land or enclosure in said town or in any adjoining city or town which may be necessary for said aqueduct and sewer system to pass, or said excavations, dams, reservoirs, water-works and system of sewers to be or exist for the purpose of obtaining, holding, preserving or conducting such water and placing such pipes or other material or works as may be necessary for building, operating, extending or repairing the same. Said town is further authorized and empowered to take and appropriate any land in said town or in any adjoining city or town that may be necessary to protect any water supply that it may establish or acquire. The authority granted in this section shall be subject to chapter 40 of the Laws of 1911, relating to taxation of land in one town held by another town for water supply.

SECT. 3. Amend section 6 of said chapter by inserting between the word "dollars" in the third line of said section and the words "and to issue therefor" in the fourth line of said section as printed the words and a further amount not exceeding sixty thousand dollars if it becomes necessary or desirable for said town to construct, own, maintain and manage more than one individual and independent system of said works and sewers so that said section, as amended, shall read: SECT. 6. The said town is authorized to levy taxes to defray the expense of said works and sewer system and to hire money not exceeding the whole sum of sixty thousand dollars, and a further amount not exceeding sixty thousand dollars if it becomes necessary or desirable for said town to construct, own, maintain and manage more than one individual and independent system of said works and sewers, and to issue therefor the notes, bonds or other obligations of the town payable at such times and on such interest, not exceeding five per centum per annum, as the town, through its officers or agents, may determine; and such notes, bonds or other obligations shall be valid and binding on the town.

Indebtedness,  
bonded how,  
when, and to  
what extent and  
rate of interest.

SECT. 4. This act shall take effect on its passage.

Takes effect on  
passage.

[Approved March 27, 1917.]

CHAPTER 339.

AN ACT TO AMEND CHAPTER 303 OF THE LAWS OF 1909 WITH REFERENCE TO CHANGING THE NAME OF ST. MARY'S CO-OPERATIVE CREDIT ASSOCIATION.

SECTION

1. Name changed to La Caisse Populaire Ste-Marie.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Name changed to La Caisse Populaire Ste-Marie.

SECTION 1. Amend chapter 303, Laws of 1909, by striking out the words "St. Mary's Co-operative Credit Association" in section 1 and inserting in place thereof the words La Caisse Populaire Ste-Marie, so that said section as amended shall read as follows: SECTION 1. That Pierre Hevey, Pierre M. Roussel, Louis Dorais, J. Eugene Larochelle, Arthur Gagne, and Joseph Boivin, all of Manchester in the county of Hillsborough, and their associates, successors and assigns, be and they hereby are made a body corporate by the name of the La Caisse Populaire Ste-Marie, and by that name may transact their business, may sue and be sued, and hereby are invested with all the privileges and made subject to the duties and liabilities of a corporation for the purposes hereinafter set forth.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 3, 1917.]

CHAPTER 340.

AN ACT RELATING TO SERVICE OF POLICE OFFICERS IN THE CITY OF NASHUA.

SECTION

1. One day's rest in every fifteen, with pay.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

One day's rest in every fifteen, with pay.

SECTION 1. All regular police officers, and all special police officers doing regular police duty in the city of Nashua, shall be allowed one day's rest with pay in every fifteen days' service.

Takes effect on passage.

SECT. 2. This act will take effect upon its passage.

[Approved April 3, 1917.]

CHAPTER 341.

AN ACT TO AMEND CHAPTER 291 OF THE SESSION LAWS OF 1913 ENTITLED "AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF MANCHESTER IN RELATION TO TAXATION AND INDEBTEDNESS."

SECTION

- 1. Indebtedness of city limited.
- 2. Tax not to exceed \$14 on each \$1,000.

SECTION

- 3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend chapter 291 of the session Laws of 1913 entitled "An Act in amendment of the charter of the city of Manchester in relation to taxation and indebtedness" by striking out the whole of section 1 and inserting in place thereof the following new section: SECTION 1. The city of Manchester shall not become indebted in an amount exceeding three per cent. on the last preceding valuation for the assessment of taxes on the polls and taxable property therein.

SECT. 2. Further amend said chapter by striking out the whole of section 5 and inserting in place thereof the following new section: SECT. 5. The taxes assessed on polls and property in said city, exclusive of the state and county taxes, shall not in any year exceed fourteen dollars on every one thousand dollars of the assessors' valuation of the polls and taxable property therein for the preceding year.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 3, 1917.]



## CHAPTER 342.

AN ACT IN ADDITION TO AND IN AMENDMENT OF THE CHARTER OF THE CITY OF NASHUA, CONFERRING ADDITIONAL POWERS ON THE BOARD OF FIRE COMMISSIONERS OF SAID CITY, IN CERTAIN CASES.

## SECTION

1. Board to organize in January, annually. Powers of board.

## SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Board to organize in January, annually. Powers of board.

SECTION 1. Amend Laws of 1891, chapter 153, section 3, entitled "An Act in amendment of and in addition to the charter of the city of Nashua creating a fire commission for said city," by striking out the word "February" in the second line thereof and inserting in place thereof the word January, and by inserting after the word "expedient" the words, the board of fire commissioners shall also have the sole power to select and purchase land for the purposes of the fire department; and when said board has secured by vote of the board of aldermen an adequate appropriation for the purchase of a specified lot at a specified price, then said board may purchase the same. The said board and the land and buildings committee of the board of aldermen, jointly, shall direct the construction of all buildings erected, altered, remodeled or changed, for the use of the fire department; and no building shall be erected, altered, remodeled or changed, unless the plans thereof have been previously submitted to the board of fire commissioners and approved by it. Upon the completion of any such building or after the selection and purchase of land, the board of fire commissioners shall have full and complete care and control of the same; and whenever such land or buildings shall no longer be used for the purposes of the department, the care and control thereof shall revert to the city, so that said section as amended shall read as follows: SECT. 3. The said board shall organize annually in the month of January by the choice of one of their members as chairman. They shall also choose a clerk, who may be clerk of the board of engineers, and they shall make such rules and regulations for their own government and for the government of all other officers and members of the fire department, also all buildings and apparatus and horses now used for the transportation of apparatus in case of fire (and the said horses so used are hereby transferred to the fire department) as they may deem expedient. The board of fire commissioners shall also have the sole power to select and purchase land for the purposes of the fire department; and when said board has secured by vote of the board of aldermen an adequate appropriation for the purchase of a specified lot at a specified price, then said

board may purchase the same. The said board and the land and buildings committee of the board of aldermen, jointly, shall direct the construction of all buildings erected, altered, remodeled or changed, for the use of the fire department; and no building shall be erected, altered, remodeled or changed, unless the plans thereof have been previously submitted to the board of fire commissioners and approved by it. Upon the completion of any such building or after the selection and purchase of land, the board of fire commissioners shall have full and complete care and control of the same; and whenever such land or buildings shall no longer be used for the purposes of the department, the care and control thereof shall revert to the city. For their services the fire commissioners shall receive such compensation as the city councils may from time to time determine.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

Repealing clause;  
takes effect on  
passage.

[Approved April 3, 1917.]

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## CHAPTER 343.

AN ACT TO CHANGE THE NAME OF THE WOLFEBOROUGH JUNCTION FIRE DISTRICT, INCORPORATED UNDER CHAPTER 53 OF THE PUBLIC STATUTES.

### SECTION

1. Name changed to Sanbornville Precinct.

### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The name of the Wolfeborough Junction Fire District, incorporated under chapter 53 of the Public Statutes, is hereby changed to the Sanbornville Precinct.

Name changed to  
Sanbornville  
Precinct.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 3, 1917.]

CHAPTER 344.

AN ACT TO INCORPORATE THE UNITED BAPTIST SOCIETY OF SOMERS-  
WORTH.

SECTION	SECTION
1. Corporation created.	4. First meeting.
2. Authority to hold property of the value of \$50,000.	5. Repealing clause; takes effect on passage.
3. Constitution and by-laws.	

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Corporation  
created.

SECTION 1. That Jairus E. Came, Henry H. Wentworth, George E. Pugsley, William H. Whitehouse, Freeman A. Hussey and Bryce E. Pease, and their associates, successors and assigns, shall be and are hereby made a body politic and corporate by the name of the United Baptist Society of Somersworth, and shall have and enjoy all the powers and privileges and be subject to all of the liabilities incident to corporations of a similar nature.

Authority to hold  
property of the  
value of \$50,000.

SECT. 2. Said corporation may acquire by purchase or otherwise real and personal estate to an amount not exceeding fifty thousand dollars, may receive and hold gifts, donations or bequests, absolutely or in trust, as they may be made, for the benefit of said corporation, and convey and transmit the same in accordance with the law relating to such property, owned or held by church societies or corporations.

Constitution and  
by-laws.

SECT. 3. Said corporation may adopt regulations for its own government in the form of a constitution or by-laws, or both, not inconsistent with law, and may provide for their alteration or amendment.

First meeting.

SECT. 4. The first meeting of the corporation shall be held at such time and place in said Somersworth as any three of the incorporators herein shall designate in writing. Actual notice of such time and place shall be seasonably given to each incorporator by one or more of the persons issuing the call for it.

Repealing clause;  
takes effect on  
passage.

SECT. 5. All acts or parts of acts inconsistent with this act are hereby repealed, and this shall take effect upon its passage.

[Approved April 3, 1917.]

## CHAPTER 345.

AN ACT AUTHORIZING THE TOWN OF LITTLETON TO EXEMPT FROM LOCAL TAXATION NEW BUILDINGS AND MACHINERY TO BE ERECTED AND INSTALLED BY THE SARANAC GLOVE COMPANY.

## SECTION

1. Exemption authorized.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the town of Littleton be and hereby is authorized to exempt from local taxation the new buildings to be erected and new machinery to be installed in same on the property of the Saranac Glove Company in said town, for a period not exceeding ten years, the limit of the same to be fixed by a vote of the said town at any legal meeting of the voters thereof.

Exemption authorized.

SECT. 2. This act to take effect upon its passage.

Takes effect on passage.

[Approved April 3, 1917.]

## CHAPTER 346.

AN ACT RELATING TO THE SCHOOL BOARD OF THE SPECIAL SCHOOL DISTRICT OF GOFFSTOWN.

## SECTION

1. School Board of three members to be chosen at next annual meeting.  
Tenure of office.

## SECTION

2. Powers and duties.  
3. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The qualified voters of the special school district of Goffstown shall, at the annual school meeting holden next after the passage of this act, choose a school board to consist of three members, one of whom shall hold office for one year, one for two years and one for three years, and thereafter one member shall be elected annually to hold office for three years.

School Board of three members to be chosen at next annual meeting. Tenure of office.

SECT. 2. The said board shall perform all the duties provided for by the general laws in case of school boards.

Powers and duties.

SECT. 3. All acts and parts of acts, in so far as they are inconsistent with this act, are hereby repealed and this act shall take effect upon its passage.

Repealing clause; takes effect on passage.

[Approved April 3, 1917.]



CHAPTER 347.

AN ACT TO EQUALIZE SCHOOL PRIVILEGES IN THE CITY OF CONCORD.

SECTION	SECTION
1. Town district and union district combined.	3. Officials of town district to deposit records with city clerk of Concord for preservation.
2. Property of the town district to become property of union district; and latter assumes debts of former.	4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Town district and union district combined.

SECTION 1. The town school district of Concord is hereby annexed to the union school district of said Concord.

Property of the town district to become property of union district; and latter assumes debts of former.

SECT. 2. All of the schoolhouses, sites, appliances, apparatus, books, supplies and other property belonging to said town district shall be vested in said union district upon the passage of this act, and shall be delivered by the school board of said town district to the board of education of said union district. And all debts and obligations of said town district shall be assumed by said union district.

Officials of town district to deposit records with city clerk of Concord for preservation. Takes effect on passage.

SECT. 3. The school board, clerk and treasurer of said town district shall forthwith deposit all records of said district with the city clerk of Concord for preservation.

SECT. 4. This act shall take effect upon its passage.

[Approved April 4, 1917.]

CHAPTER 348.

AN ACT TO ESTABLISH A DEPARTMENT OF PARKS, COMMONS AND PLAY-  
GROUNDS FOR THE CITY OF MANCHESTER.

SECTION	SECTION
1. Department created.	6. Term "parks" defined.
2. Park commission created. Tenure of office.	7. Further of powers and duties. Repealing clause; takes effect on passage.
3. Powers and duties.	
4. Organization of commission.	
5. Commission to prepare and present budget by Jan. 15; and make annual report in month of January.	

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Department created.

SECTION 1. A department of parks, commons and playgrounds for the city of Manchester is hereby established.

SECT. 2. Upon the passage of this act the mayor shall appoint five citizens of said Manchester as a park commission, one to serve for one year from April 1, 1917, one for two years, one for three years, one for four years and one for five years from said date and until their successors are appointed and qualified, and in the month of March, 1918, and annually thereafter in the month of March, the mayor shall appoint one park commissioner for a term of five years, from the first day of April following and until his successor is appointed and qualified. The members of said park commission shall serve without compensation.

SECT. 3. Said park commission shall have full charge, control, management and supervision over the maintenance and development of all city parks and commons and all municipal playgrounds. They shall have the expenditure of all money appropriated from year to year by the board of mayor and aldermen for the use of this department, and shall employ a competent person to act as superintendent of parks and commons and fix his compensation, subject to approval by the mayor. Said superintendent is authorized to employ such persons as may be necessary to carry out the work delegated to him by said commission. Said park commission is also authorized to appoint one or more supervisors or directors to take charge of all city playgrounds and to provide for the employment of all necessary instructors and assistants. Said park commission shall further have charge of the care and preservation of all trees in any city park, common or playground and may appoint a city forester or tree warden to take care of all trees in the public highways of said city, except as otherwise provided for in an act establishing a department of public works for said city of Manchester. They shall fix the compensation of all agents and other employees subject to approval by the mayor, and all bills for expenditures in this department shall be approved by the chairman or by some member by him designated and by the mayor before being paid by the city treasurer.

SECT. 4. As soon as convenient after the appointment of said park commission they shall organize by choosing one of their members chairman and one other clerk. Meetings of said park commission shall be held upon call of the chairman or mayor or upon such dates as said commission may designate.

SECT. 5. Said park commission shall annually, on or before the fifteenth day of January, prepare and transmit to the board of mayor and aldermen an estimate of the amount of money needed for this department during the ensuing year and they shall annually, in the month of January, make a report to the board of mayor and aldermen of their doings during the year preceding together with such information and recommendations as they may deem for the best interests of said city.

Park commission  
created. Tenure  
of office.

Powers and  
duties.

Organization of  
commission.

Commission to  
prepare and  
present budget  
by Jan. 15; and  
make annual  
report in month  
of January.

Term "parks" defined.

SECT. 6. The term parks as used in this act shall mean and include all public parks, parkways, commons and playgrounds that are now or may be hereafter established or used by said city by lease, agreement or otherwise, together with all structures, appliances and buildings that are now or may be hereafter constructed or erected thereon.

Further of powers and duties. Repealing clause; takes effect on passage.

SECT. 7. Said park commission shall have all the powers and duties in relation to parks, commons and playgrounds that were formerly vested in the board of public works for said city of Manchester by an act of the legislature passed April 15, 1911, and all amendments thereto, and all acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 4, 1917.]

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CHAPTER 349.

AN ACT TO LEGALIZE THE TOWN AND SCHOOL DISTRICT MEETINGS OF THE TOWN OF HOLDERNESS HELD MARCH 13, 1917.

SECTION

1. Votes and proceedings legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Votes and proceedings legalized.

SECTION 1. All acts and proceedings of the annual town and school district meetings of the town of Holderness held March 13, 1917, are hereby ratified, legalized, and confirmed.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 4, 1917.]

CHAPTER 350.

AN ACT TO ESTABLISH A DEPARTMENT OF PUBLIC WORKS FOR THE CITY OF MANCHESTER.

SECTION

1. (a) Term "department" defined.
- (b) Terms "commissioner" and "director" defined.
- (c) Term "highway" defined.
- (d) Term "sewers" defined.
- (e) Term "street cleaning" defined.
- (f) Term "city yards" defined.
- (g) Term "public utility" defined.

SECTION

2. Department of public works created. How appointed; tenure of office; vacancies; compensation.
3. Organization of commission. Powers and duties. Meetings.
4. Powers and duties of director.
5. Repealing clause, with limitation; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. (a) The term department as used in this act shall mean the department of public works hereby established. Term "department" defined.

(b) The term commissioners as used in this act shall mean the commissioners of public works hereby created and the term director as used in this act shall mean the director of the department of public works. Terms "commissioner" and "director" defined.

(c) The term highways shall mean and include all public avenues, streets, roads, thoroughfares, lanes, alleys, back streets, walks, sidewalks, bridges and culverts. Term "highway" defined.

(d) The term sewers shall mean and include all public sewers and drains, separate sewerage systems, combined sewerage systems and storm water drainage systems. Term "sewers" defined.

(e) The term street cleaning shall mean and include the cleaning, sweeping, washing and flushing of highways, the collecting, removing and disposing of garbage, ashes, refuse, waste, rubbish, snow and ice, (dead animals excepted). Term "street cleaning" defined.

(f) The term city yards shall mean and include all yards and premises the property of the city used by the department in carrying on the business contemplated under this act with all structures, plants, appliances and buildings that are or may be constructed, established or erected thereon. Term "city yards" defined.

(g) The term public utility shall include every corporation, company, association, joint stock association, partnership and person, their assignees, lessees, trustees or receivers, appointed by any court whatsoever, owning, operating or managing any plant or equipment or any part of the same for the conveyance of persons or property for a compensation; for the transmission of telephone or telegraph messages; for the manufacture or furnishing of light, heat or power for the public. Term "public utility" defined.

SECT. 2. A department of public works for the city of Manchester is hereby established and upon the passage of this act the mayor with the approval of the board of aldermen shall appoint Department of public works created. How appointed; tenure of office;



vacancies;  
compensation.

three citizens of Manchester who shall be commissioners of public works, one of whom shall hold office for a term of one year from the first day of April, 1917, one for two years and one for three years from said date and until their successors are appointed and qualified, and in the month of March, 1918, and annually thereafter in said month the mayor with the approval of the board of aldermen shall appoint one commissioner who shall take the place of the one whose term expires and who shall hold office for three years from the first day of April following and until his successor is appointed and qualified and any vacancy in said board shall be filled in the same manner, and each of said commissioners shall be paid a salary of one hundred dollars per year in full for all services rendered.

Organization of  
commission.  
Powers and  
duties. Meetings.

SECT. 3. Immediately after their appointment said commissioners shall organize, choosing one of their number chairman and one other clerk and they shall then appoint a competent person, preferably a civil engineer, to be director of the department and to hold office during good behavior, unless sooner removed for cause, and said commissioners shall fix his compensation subject to the approval of the mayor. The commissioners shall determine and fix a minimum and maximum scale of wages for each grade or relative position (hereinafter provided for) subject to the approval of the mayor. They shall hold one meeting on the third Tuesday of each month at three o'clock in the afternoon and the mayor may call a special meeting at any time.

Powers and  
duties of director.

SECT. 4. The director shall have full charge, supervision, management and control of the building, constructing, repairing and maintaining of all highways and sewers, the developing, improving and maintaining of city yards, and the maintaining and carrying on of street cleaning; he shall have the expenditure of all appropriations which the board of mayor and aldermen shall from year to year vote for such purposes, with the approval of the mayor, and all bills and payrolls for expenditures from the appropriations voted from year to year by said board of mayor and aldermen for such purposes shall be certified to by the director and approved by the mayor before the same are paid by the city treasurer. The director shall have the authority and power to regulate the traffic and travel upon, the placing of encumbrances in, and the opening and excavating in the highways of said city; he shall further have the power to regulate the construction and maintenance in, over, under and along the highways of said city of all wires, pipes, poles and all other structures (excepting electric signs) and including the moving of buildings belonging to individuals, firms, corporations or public utilities, which are permitted by vote of the board of mayor and aldermen to be placed in, over, under, along or moved through said highways; he shall have the power to remove any tree in any highway if in his judgment it is necessary in the con-

struction or maintenance of said highway. No individual, firm, corporation or public utility shall open or excavate any highway unless first having obtained a permit therefor from the department, application for which shall first be approved by the mayor. The director is hereby authorized to provide for the furnishing and delivering of supplies and the performance of any work contemplated in this act by contract, and in so doing to call for proposals for furnishing and delivering such supplies or doing such work and to make a contract therefor in the name and behalf of said city *provided* such contract shall first be approved by the mayor, and the party to whom the contract is awarded shall furnish proper surety for the faithful performance of said contract, *provided however*, that in the employment of labor, citizens of Manchester shall be given preference, and in the making of contracts such preference shall be stipulated for when practicable; said director shall annually on or before the fifteenth day of January prepare and transmit to the board of mayor and aldermen an estimate of the appropriation required for the maintenance of city yards and street cleaning, for the constructing, repairing and maintaining of highways and sewers in said city for the ensuing year and he shall make a report to said board of mayor and aldermen of the doings of the department for the year ending with the December draft of each year. The director shall have full charge and control of the engineers department and shall have in charge the performance of all duties heretofore pertaining to the office of engineer; he shall appoint one competent person to act as superintendent of highways, one competent person to act as superintendent of sewers and one competent person to act as superintendent of street cleaning; he shall establish a schedule of grades or relative positions to include all superintendents, subordinate officers, agents, clerks and all other persons who are employed or may be employed in carrying on the work contemplated under this act, and he shall for the carrying out of the purposes of this act have all the powers now by law vested in the board of public works and the various city departments and officials of said city now having control of the matters covered by this act and he shall have the authority to employ, appoint or hire, to dismiss or discharge such superintendents, subordinate officers, agents, clerks and other persons as he may deem expedient.

SECT. 5. All acts or parts of acts inconsistent with this act are hereby repealed, excepting that no provision of this act shall be construed to repeal any of the powers of the mayor of Manchester and this act shall take effect upon its passage.

Repealing clause,  
with limitation;  
takes effect on  
passage.

[Approved April 5, 1917.]

## CHAPTER 351.

AN ACT IN AMENDMENT OF CHAPTER 312, LAWS OF 1911, AS AMENDED  
BY CHAPTER 313, LAWS OF 1915, RELATING TO THE CHARTER OF THE  
WALPOLE AND ALSTEAD STREET RAILWAY COMPANY.

## SECTION

1. Time for completion of road extended  
to March 30, 1921.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Time for comple-  
tion of road  
extended to  
March 30, 1921.

SECTION 1. The time fixed in the charter of the Walpole and Alstead Street Railway Company, approved March 30, 1911, as amended by chapter 313, of the Laws of 1915, for the completion of its road is hereby extended to the thirtieth day of March 1921.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 10, 1917.]

## CHAPTER 352.

AN ACT TO RELIEVE MEMBERS OF THE POLICE FORCE IN THE CITY OF  
MANCHESTER FROM POLICE DUTY AT CERTAIN TIMES.

## SECTION

1. Each officer to have one day in fifteen off duty without loss of pay.
2. Police commissioners to carry out the provisions of this act; may appoint reserve police for that purpose.

## SECTION

3. Repealing clause.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Each officer to  
have one day in  
fifteen off duty  
without loss of  
pay.

SECTION 1. Subject to the provisions of this act, members of the regular and reserved police force of the city of Manchester shall be relieved of police duties, without loss of pay, once in each fifteen days, for a period of not less than twenty-four consecutive hours, except for the time required to answer at roll-call immediately before the beginning or immediately after the end of a tour of duty. The time and the manner of such relief shall be determined in each instance by the police commissioners of the city or under authority by their chief of police or other superior officer or officers. A member so relieved shall be exempt for the time from actual

service and from presence for duty, but otherwise shall be subject during such relief to all laws, rules, orders and regulations for the government of the force which may be in effect from time to time. Should the exigencies of the service, in the judgment of the commissioners, or of the superintendent or other superior officer authorized thereto by the commissioners, require at any time that a member of the force should be deprived of his period of relief or that it should be curtailed, the time so lost shall be made up to him as soon thereafter as may be practicable.

SECT. 2. The police commissioners of said city shall prepare to put the provisions of section 1 of this act into effect within three months from the date of its passage. For that purpose they are authorized and directed to appoint in the manner now prescribed by law such additional members of the police force, including the reserve, as they shall deem necessary to carry out the provisions of this act.

Police commissioners to carry out the provisions of this act: may appoint reserve police for that purpose.

SECT. 3. All acts or parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

[Approved April 10, 1917.]

## CHAPTER 353.

AN ACT IN AMENDMENT OF AND IN ADDITION TO AN ACT ENTITLED "AN ACT IN AMENDMENT OF AND IN ADDITION TO THE CHARTER OF THE CITY OF NASHUA CREATING A FIRE COMMISSION FOR SAID CITY," AND AUTHORIZING THE APPOINTMENT OF THE CHIEF ENGINEER OF THE FIRE DEPARTMENT AN INSPECTOR OF BUILDINGS IN SAID CITY.

### SECTION

1. Board of fire commissioners created. Powers and duties.

### SECTION

2. Repealing clause; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Amend the Laws of 1891, chapter 153, section 1,\* entitled "An Act in amendment of and in addition to the charter of the city of Nashua creating a fire commission for said city," by striking out said section and inserting in place thereof the following, to be known as section 1: SECTION 1. The fire department of the city of Nashua shall consist of a board of three fire commission-

\* Board of fire commissioners created. Powers and duties.

\* See Laws 1913, ch. 427, part 2, sec. 38.



ers, a chief engineer who shall have control of the fire alarm telegraph, a deputy chief engineer, and such other officers, engine men and other members as the board of fire commissioners may deem necessary, not exceeding one hundred and forty men. The board of aldermen may appoint the chief engineer inspector of buildings, with all the powers and duties relating thereto conferred and imposed by law.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

[Approved April 10, 1917.]

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CHAPTER 354.

AN ACT TO AMEND CHAPTER 124 OF THE LAWS OF 1878 ENTITLED "AN ACT TO INCORPORATE THE HOLDERNESS SCHOOL FOR BOYS."

SECTION

1. Authorized to hold property of the value of \$500,000.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authorized to  
hold property of  
the value of  
\$500,000.

SECTION 1. Amend section 2 of said act by striking out the words "one hundred and fifty" and inserting in place thereof the words five hundred so that said section as amended shall read as follows: SECT. 2. Said corporation is hereby empowered to establish and maintain, in the town of Holderness, in the county of Grafton, a school for the education of youth, and for that purpose may acquire and hold, by gift, bequest, or otherwise, real and personal estate to an amount not exceeding five hundred thousand dollars; may erect suitable buildings, employ proper teachers and assistants, and establish all necessary by-laws and regulations for their government, and exercise any other powers proper to carry into effect the objects of this act; *provided*, that said by-laws and regulations shall not be repugnant to the constitution and laws of this state.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 10, 1917.]

CHAPTER 355.

AN ACT LEGALIZING THE PROCEEDINGS AT THE ANNUAL TOWN MEETING  
OF THE TOWN OF WENTWORTH HELD MARCH 13, 1917.

SECTION

1. Votes and proceedings legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. That whereas the proceedings at the annual town meeting of the town of Wentworth, in the county of Grafton, held on the second Tuesday of March, 1917, are claimed to be illegal because of the fact that an adjournment of one hour was taken for dinner, and that prior to the expiration of the hour the meeting re-assembled and certain officers were elected and certain monies were appropriated thereafter, and that some of these acts were done and votes were taken before the expiration of the hour to which the meeting had adjourned; and whereas said meeting and its proceedings are legal in all other respects, it is hereby enacted that all acts done and elections and appropriations made and declared at said meeting be and hereby are legalized, and shall have the same force and effect as though said meeting had reconvened strictly in accordance with the time of adjournment, and said proceedings are hereby fully ratified, legalized and confirmed.

Votes and  
proceedings  
legalized.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 10, 1917.]

CHAPTER 356.

AN ACT TO AUTHORIZE THE CONNECTICUT RIVER POWER COMPANY OF NEW HAMPSHIRE TO TRANSFER ITS PROPERTIES, RIGHTS, AND FRANCHISES IN THIS STATE, AND TO AMEND SECTION 17, CHAPTER 164, LAWS OF 1911, AS INSERTED BY SECTION 17, CHAPTER 145, LAWS OF 1913, RELATING TO THE BUSINESS OF TRANSMITTING ELECTRICAL POWER BEYOND THE LIMITS OF THE STATE.

SECTION

1. Authority to sell.
2. Agreement; terms; approval of stockholders, and public service commission.
3. Dissenting stockholders, rights of.
4. Stock, dividends. Refunding debts by bond issues, etc.
5. Act not to be construed as affecting value of property on proceeding to regulate rates.

SECTION

6. Purchasing company's rights and liabilities.
7. Tax appeals removed to federal court, forfeits benefits.
8. Corporation desiring to transmit electricity generated in N. H. to another state, shall apply to public service commission.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority to sell.

SECTION 1. The Connecticut River Power Company of New Hampshire, being a consolidation of a corporation chartered by act of the legislature approved March 31, 1903, being chapter 306 of the Laws of 1903 and amendments thereto, and a Vermont corporation, chartered by act 201 of the Vermont Acts of 1902 and amendments thereto, such consolidation having been effected by agreement of merger and consolidation of said two corporations made June 7, 1907, pursuant to authority given by their respective charters, is hereby authorized and empowered to sell, transfer, and convey to the New England Power Company, a corporation organized under the laws of the commonwealth of Massachusetts, all its properties, rights, privileges and franchises within this state, upon terms and conditions and subject to the provisions and limitations of this act.

Agreement;  
terms; approval  
of stockholders,  
and public service  
commission.

SECT. 2. The sale, transfer, and conveyance authorized by this act may be made subject to the debts and obligations of the selling corporation in consideration of the issue of stock by the purchasing corporation to the selling corporation, for distribution among its stockholders in exchange for their present holdings of stock, all upon the terms and conditions and in the manner provided in an agreement for sale between the two corporations; but no such agreement for sale shall be valid and binding unless approved at a meeting properly called and held for the purpose by vote of two-thirds in interest of the stockholders of the selling corporation present and voting. Such sale, transfer, and conveyance shall not be consummated until the terms and conditions thereof, as set forth in said agreement for sale shall have been approved, as in con-

formity with the provisions and limitations of this act, by the public service commission, upon petition of both corporations.

SECT. 3. The rights of any dissenting stockholders of the selling corporation shall be regulated, protected and determined as provided in the case of like stockholders of railroad corporations in section 28 to 37, inclusive, of chapter 156 of the Public Statutes.

Dissenting stockholders, rights of.

SECT. 4. The amount of stock at par value of the purchasing corporation which may be issued to the selling corporation as above provided shall not exceed at par value the total amount of stock of the selling corporation outstanding at the time of such sale; and in case any of said stock shall be preferred stock, the amount thereof and the rate of preferred dividend to be paid thereon shall not exceed the total amount and the rate of preferred dividend of the preferred stock of the selling corporation then outstanding. The purchasing corporation shall be authorized to issue its bonds, notes, or other evidences of indebtedness payable more than twelve months after the date thereof, for the purpose of paying or refunding or in exchange for the like obligations of the selling corporation, *provided* that the face value thereof and the rate of interest payable thereon shall not exceed the face value of and the rate of interest payable on the like obligations of the selling corporation.

Stock, dividends. Refunding debts by bond issues, etc.

SECT. 5. Nothing in this act contained or any authority or power conferred by the provisions of this act shall be held to affect the question of value of the properties, rights, and franchises sold, transferred and conveyed under the authority of this act, in any proceeding to regulate the rates, service or affairs in this state of either of said corporations, or in any proceeding in this state in respect to the taxation of said properties, rights and franchises, or in any other proceeding in this state affecting or concerning said properties, rights and franchises.

Act not to be construed as affecting value of property on proceeding to regulate rates.

SECT. 6. Upon the completion of the sale, transfer and conveyance authorized by this act, the purchasing corporation shall be entitled to exercise and enjoy all the franchises and privileges possessed by the selling corporation in respect to or in connection with the properties, rights and franchises sold, transferred and conveyed; and, except as may be otherwise provided by this act, the purchasing corporation shall be subject to all the terms and provisions of all laws of this state applicable to a public service corporation of its class.

Purchasing company's rights and liabilities.

SECT. 7. If the said New England Power Company at any time hereafter shall bring in a federal court or remove to a federal court on the ground of diverse citizenship any proceeding relating to the amount of validity of any tax assessed against said company by any city or town in this state all rights, privileges and franchises conferred by this act upon said company, in so far as they relate to its business carried on within this state, shall terminate and become forfeited, upon a judgment or decree of the superior court

Tax appeals removed to federal court, forfeits benefits.



establishing the facts, in proceedings brought by the attorney-general against said company in the name of the state in any court of competent jurisdiction.

Corporation  
desiring to  
transmit elec-  
tricity generated  
in N. H. to  
another state,  
shall apply to  
public service  
commission.

SECT. 8. Section 17, chapter 164, Laws of 1911, as inserted by section 17, chapter 145, Laws of 1913 is hereby amended by striking out the words "apply to the transmitting of electrical energy

generated from water powers upon the Connecticut River; nor shall they," so that said section as amended shall read as follows: SECT. 17. No corporation engaged in the generation of electrical energy by water power shall engage in the business of transmitting or conveying the same beyond the confines of the state unless it shall first file notice of its intention so to do with the public service commission and obtain an order of said commission permitting it to engage in such business. The commission may of its own motion or on application of any person, investigate or make inquiry, in a manner to be determined by it, as to the existence of an available market at fair rates within the state; and if it shall find that such a market does not exist within a reasonable distance of the power development, it may make an order granting such permission and may impose the condition that consumers within the state shall be furnished service by said corporation upon terms as favorable as shall be granted to consumers outside the state, having due regard to all facts and conditions which may affect said subject; *provided, however,* that nothing in this paragraph shall apply to corporations now engaged in the business of transmitting such electrical energy to any place outside the state, but any addition to such energy generated from any water power except such as it may be using in connection with such business at the date of the passage of this act, shall come under the provisions of this paragraph. *Provided, further,* that the provisions of this paragraph shall not prevent any railroad corporation doing business in this state from transmitting electrical energy beyond the confines of the state for the purpose of operating its road between some point in this state and any point or points outside the state.

[Approved April 18, 1917.]

## CHAPTER 357.

## AN ACT TO INCORPORATE THE MARLBOROUGH WATER-WORKS COMPANY.

## SECTION

1. Corporation created.
2. Capital stock.
3. Annual and special meetings.
4. May hold property. May utilize highways for laying pipes, etc.
5. Authorized to take Stone Pond and other waters. Procedure.
6. Authorized to sell water; may sell or lease its works to Marlborough or any precinct therein.

## SECTION

7. First meeting.
8. Authority to borrow; bond issue.
9. Corporation to organize within one year, and construct works within five years.
10. Corporation to be subject to public service commission.
11. Right of repeal, etc., reserved; takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That Charles O. Whitney, Robert L. Whitney, Lewis G. Hildreth, Ray H. Page, Charles B. Collins, Mark A. Whitney, Henry L. Page, Merrill Mason, Willis S. Garfield, Lester G. Davis, Harry A. Tenney, Charles W. Whitney and John Kimball, all of Marlborough, their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Marlborough Water-Works Company, for the purpose of bringing water into the village of Marlborough, in said state, by subterranean pipes, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and privileges and made subject to all the liabilities incident to corporations of a similar nature.

SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time to time be determined by the directors of said corporation, not exceeding in the whole the sum of fifty thousand dollars.

SECT. 3. The annual and all special meetings of the corporation shall be held at such times and places, and upon such notice, as may be provided by the by-laws of the corporation.

SECT. 4. Said corporation is empowered to purchase, and hold in fee simple or otherwise, any real and personal estate necessary for the carrying into effect the purposes of this act; and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, passageway, or highway, through which it may be deemed necessary for the pipes and water-works of said corporation to pass, be, or exist, for the purpose of placing said pipes, hydrants, water-works, and such other materials as may be deemed necessary for constructing said water-works, and to relay and repair the same, subject to such regulations as to the safety of the citizens and security of the pub-

lic travel as may be prescribed by the selectmen of said town of Marlborough.

Authorized to  
take Stone Pond  
and other waters.  
Procedure.

SECT. 5. Said corporation is authorized to enter upon and appropriate Stone pond in the towns of Marlborough and Dublin, any springs, streams or ponds, not belonging to any aqueduct or water-works company, and to secure such streams, springs, or ponds, by fences or otherwise, and dig ditches, make excavations and reservoirs through, over, in or upon any land or inclosure through which it may be necessary for such pipes and water to pass, or said excavations and reservoirs, and water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting said water and placing said pipes or other materials, or such work as may be necessary for the building and operating such water-works or repairing the same; *provided*, that if it shall be necessary to enter upon and appropriate any springs, streams, or ponds, or land, for the purpose aforesaid, or to raise or lower the level of the same, and the said corporation shall not be able to agree with the owners thereof for the damages that may be done by said corporation, or the owners shall be unknown, either party may apply to the public service commission to have the same laid out and the damages determined, and the proceedings on such application shall be in compliance with the provisions of the general law relative to the taking of land by public utilities, as contained in chapter 164 of the Laws of 1911 and amendments thereto.

Authorized to sell  
water; may sell or  
lease its works to  
Marlborough or  
any precinct  
therein.

SECT. 6. Said corporation may make any contract with said town of Marlborough or with any fire precinct in said town, or with any persons or corporations, to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary, and said town, or any fire precinct therein hereafter organized, is hereby authorized to contract with said corporation for the use of said water, hydrants, or other apparatus for said purpose, and may raise and appropriate money therefor; and said corporation is hereby authorized and empowered to sell, or lease for a term of years to said town, or any fire precinct hereafter organized therein, all of its works, structures, any estate of whatever kind or nature; and said town or fire precinct is hereby authorized to purchase or lease the same.

First meeting.

SECT. 7. Any two corporators herein named may call the first meeting of the corporation by giving a notice in writing to each of the corporators of the time and place of meeting, at least seven days before the day of the meeting, or by leaving the same at his last and usual, place of abode; and at said meeting, or any adjourned meeting thereof, associates may be admitted, all proper officers chosen, the capital stock fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the business of the corporation.

SECT. 8. Said corporation may borrow money for the purpose of constructing the water-works named herein, and issue its bonds or other obligations therefor and secure the same by mortgage upon said water-works property, assets and franchises of said corporation.

Authority to borrow; bond issue.

SECT. 9. This act shall be void unless the incorporators herein named shall organize as herein provided within one year, and shall bring water as herein provided into the village of Marlborough within five years, from the passage of this act.

Corporation to organize within one year, and construct works within five years.

SECT. 10. Nothing in the charter of this corporation as hereby amended shall be construed to exempt said corporation from the supervision of the public service commission in respect to capitalization, engaging in business in territory already served by other utilities, character of service, rates for service, transfer of properties, or in any other particular, but said corporation shall be in all respects subject to supervision as if incorporated under the general law providing for the formation of voluntary corporations.

Corporation to be subject to public service commission.

SECT. 11. This act may be altered, amended, or repealed whenever the public good requires, and shall take effect upon its passage.

Right of repeal, etc., reserved; takes effect on passage.

[Approved April 18, 1917.]

## CHAPTER 358.

### AN ACT TO RESTORE THE REAL ESTATE OF FRANK DEARBORN IN LEE TO THE TOWN OF LEE FOR SCHOOL PURPOSES.

#### SECTION

1. Real estate restored to Lee for school purposes

#### SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The real estate of Frank Dearborn, located in the town of Lee, is hereby restored to the town of Lee for school purposes.

Real estate restored to Lee for school purposes.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 18, 1917.]



CHAPTER 359.

AN ACT TO LEGALIZE THE TOWN MEETINGS OF THE TOWNS OF FRANCES-  
TOWN AND RUMNEY HELD MARCH 13, 1917.

SECTION

1. Votes and proceedings legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Votes and  
proceedings  
legalized.

SECTION 1. The town meetings of the towns of Francestown and  
Rumney held March 13, 1917, are hereby legalized, ratified and  
confirmed.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 18, 1917.]

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CHAPTER 360.

AN ACT LEGALIZING THE PROCEEDINGS AT THE ANNUAL TOWN MEETINGS  
AND ADJOURNMENTS THEREOF OF THE TOWNS OF STRAFFORD AND  
ASHLAND HELD MARCH 13, 1917.

SECTION

1. Votes and proceedings legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

Votes and  
proceedings  
legalized.

SECTION 1. That the proceedings at the annual town meetings  
and adjournments thereof of the towns of Strafford and Ashland  
held March 13, 1917, be and hereby are legalized, ratified, and con-  
firmed.

Takes effect on  
passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 18, 1917.]

CHAPTER 361.

AN ACT TO AMEND CHAPTER 308 OF THE LAWS OF 1915 RELATING TO  
THE WATER SUPPLY IN SALEM AND METHUEN.

SECTION

1. Town of Salem authorized to sell  
water to the town of Methuen.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Amend section 1 of chapter 308 of the Laws of 1915 by adding at the end thereof the following: and said town of Salem may likewise sell water as aforesaid to the town of Methuen, so that said section as amended shall read as follows:

SECTION 1. The town of Salem in the county of Rockingham is hereby authorized and empowered to contract with the town of Methuen in the state of Massachusetts for an adequate water supply for extinguishing fires and for the use of its citizens and others, and for such other public, private, and mechanical purposes as said town of Salem may from time to time authorize and direct. And said town of Salem may likewise sell water as aforesaid to the town of Methuen.

SECT. 2. This act shall take effect upon its passage.

Takes effect on  
passage.

[Approved April 18, 1917.]

CHAPTER 362.

AN ACT TO SET OFF A CERTAIN LOT OF LAND IN THE TOWN SCHOOL DISTRICT OF HAVERHILL AND ANNEX THE SAME TO THE TOWN SCHOOL DISTRICT OF PIERMONT.

SECTION

1. Certain described land in Haverhill  
set off and annexed to town school  
district in Piermont.

SECTION

2. Repealing clause; takes effect on  
passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. A certain lot of land situate in the town of Piermont and previously annexed to the town school district of Haverhill for school purposes, the same conveyed by Frank J. Winn and his wife, Rosette Winn, to Hattie M. Blaisdell, as recorded in the

Certain described  
land in Haverhill  
set off and  
annexed to town  
school district in  
Piermont.

Grafton county registry of deeds, liber 531, folio 294, is hereby set off from the said town school district of Haverhill and annexed to the town school district of Piermont.

Repealing clause;  
takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 19, 1917.]

CHAPTER 363.

AN ACT REVIVING AND CONTINUING THE CHARTER OF THE WARNER AND KEARSARGE ROAD COMPANY AND AMENDMENTS TO SAID CHARTER.

SECTION

1. Charter revived; time extended ten years.

SECTION

2. Meeting for reorganization, how called.

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Charter revived;  
time extended ten  
years.

SECTION 1. That an act to incorporate the Warner & Kearsarge Road Company passed July 6, 1866, and amendments thereto passed July 3, 1872 and July 3, 1875, and an act reviving, amending and enlarging the charter of the Warner & Kearsarge Road Company approved March 9, 1893 and amendment thereto approved February 10, 1903, are hereby revived and continued for the further term of ten years from the date hereof.

Meeting for  
reorganization,  
how called.

SECT. 2. William E. Chandler of Concord and the heirs or legal representatives of Nehemiah G. Ordway, late of Warner, are authorized and empowered to call a meeting of the said company for the purpose of effecting a reorganization of the said company, notice of such meeting to be published three times in the Independent Statesman, a newspaper published in said Concord, the last publication to be not less than one week prior to the holding of the said meeting, and a copy of said notice to be mailed at least two weeks before said meeting to every known stockholder or member of the said company directed to the last known post-office address of such stockholder or member.

Takes effect on  
passage.

SECT. 3. This act shall take effect upon its passage.

[Approved April 19, 1917.]

## CHAPTER 364.

## AN ACT TO AMEND THE CHARTER OF THE BETHLEHEM ELECTRIC COMPANY.

## SECTION

1. Powers of corporation.

## SECTION

2. Amending ch. 312, Laws of 1917, as to the title.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 2 of chapter 206 of the Laws of 1897, as amended by an act passed at the present session of the general court, and approved March 15, 1917,\* is hereby further amended by striking out the words "to an extent not exceeding in value its capital stock and bonds," so that said section as amended shall read as follows: SECT. 2. Said corporation is hereby empowered to generate, manufacture, produce, buy and supply electricity for purposes of light, heat and mechanical power for public and private use; and may lease, purchase, acquire, hold and improve property, real or personal, which it shall be necessary or convenient for said corporation to do in carrying out the purposes of this act, with the right to sell, convey and dispose of the same at pleasure; and may from time to time extend its lines into other towns for the purpose of procuring electricity or supplying the same to any duly established public utility that shall desire such supply; and where no public utility exists may contract with persons and corporations for the use of electricity for any of said purposes and may contract with said town of Bethlehem, and the towns of Franconia, Whitefield and Jefferson, and other towns adjacent, or any village district that now is or may hereafter be organized in said towns, for electricity for public uses, on such terms as may be agreed upon and said towns or said districts are hereby authorized to contract with said corporation for electricity for public uses, and to raise money to pay for the same in the same manner money is raised for other purposes.

SECT. 2. Amend the title of the said act approved March 15, 1917, by striking out the words "of section 4" so that said title shall read as follows: An Act in amendment of chapter 206 of the Laws of 1897, being "An Act to incorporate the Bethlehem Electric Light Company."

Amending ch.  
312, Laws of  
1917, as to the  
title.

[Approved April 19, 1917.]

\* Chapter 312, *ante*.



## CHAPTER 365.

## AN ACT FOR THE RELIEF OF THE TOWN OF ALBANY.

## SECTION

1. Abatement of a portion of the state and county tax.

## SECTION

2. Takes effect on passage; repealing clause.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Abatement of a portion of the state and county tax.

SECTION 1. The state treasurer is hereby authorized and required to abate from the state tax for 1917 to be paid by the town of Albany thirty-five cents for every thousand dollars of the entire state tax and to make the same proportional abatement annually thereafter during the period of the apportionment fixed by the act to establish a new apportionment for the assessment of public taxes, enacted in 1917; and the treasurer of the county of Carroll is also hereby authorized and required to make a proportional annual abatement from the amount of county tax to be paid by said town of Albany in 1917 and subsequently until a new apportionment for the assessment of public taxes shall be made.

Takes effect on passage; repealing clause.

SECT. 2. This act shall take effect on its passage and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved April 19, 1917.]

## CHAPTER 366.

AN ACT IN AMENDMENT OF CHAPTER 327 OF LAWS OF 1915 ENTITLED  
 "AN ACT IN RELATION TO THE CITY OF MANCHESTER, ESTABLISHING  
 A BOARD OF REGISTRARS FOR SAID CITY."

## SECTION

1. Sessions of board fixed.
2. Annual register to contain what.
3. Person whose name not on register, must show tax bill, etc., to entitle him to be registered as a voter.

## SECTION

4. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Sessions of board fixed.

SECTION 1. Section 8, chapter 327, Laws of 1915 is hereby amended by striking out the entire section and inserting in place thereof a new section to read as follows: SECT. 8. The registrars shall hold such day and evening session as the city by an ordinance

may prescribe and such other sessions as they deem necessary. They shall hold a continuous session from 12 o'clock noon until 10 o'clock in the evening on the thirtieth day preceding the state and city election.

SECT. 2. Amend section 16. of said act by adding after the words "poll tax" in the tenth line thereof the following: Also the names of all females over twenty-one years of age and all men over seventy years of age, so that said section as amended shall read as follows: SECT. 16. The registrars shall, after the first day of May, prepare an annual register containing the names of all qualified voters in the city for the current year, beginning with such first day of May. Such names shall be arranged in alphabetical order, and, opposite to the name of each voter, his residence on the preceding first day of May or on any subsequent day when he became an inhabitant of the city. The assessors shall transmit to the registrars annually a list of persons assessed for a poll tax for the current year, giving as the residence of each person on the first day of May, the place at which he was assessed a poll tax also the names of all females over twenty-one years of age, and all men over seventy years of age and the registrars shall enter every such name in the annual register; *provided*, that in every case they are able to identify the name so transmitted to them as that of a person whose name was borne on the voting list of such city at the last preceding election. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any registrar until such person has been duly notified and given an opportunity to be heard by them. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered in the general register.

SECT. 3. Amend section 17 by adding at the end of said section the following: and must show a tax bill for the current year, so that said section as amended shall read as follows: SECT. 17. Every person whose name has not been entered in the annual register in accordance with the preceding section must, in order to be registered as a voter, apply in person for registration and prove that he is qualified to register and must show a tax bill for the current year.

SECT. 4. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 19, 1917.]

CHAPTER 367.

AN ACT TO AUTHORIZE THE REHABILITATION OF THE BOSTON & MAINE RAILROAD SYSTEM AND THE UNION OF THE CERTAIN RAILROAD COMPANIES.

SECTION

1. Certain railroads authorized to unite. Approval of public service commission required.
2. New corporation, authorized when; how to be organized. Directors. Powers and duties.
3. New corporation authorized to acquire the property under the plan, when and how. Procedure.
4. Assent of whom, required. Voting regulated.
5. Provision as to the Hampden Railroad.
6. Dissenting stockholder, rights of.
7. Office, and assistant treasurer, and four directors, to be in N. H.
8. Stocks and bonds, issuance of, to be only after approval of public service commission. Procedure.

SECTION

9. Except as herein provided, corporation to be subject to general railroad law.
10. Bonds and notes, to be legal investment for N. H. savings bank, when, and for how long.
11. Corporate existence of subsidiary companies and B. & M. continued for certain purposes.
12. Repair and construction shops in N. H. to be maintained, and proportionate part of the work done here.
13. Authority created hereby to cease on March 15, 1919, unless reorganization or consolidation effected by that time.
14. Takes effect on passage; right to repeal, etc., reserved.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Preamble.

WHEREAS, the commonwealth of Massachusetts has passed an act entitled "An Act to provide for a reorganization and consolidation of the railroad companies constituting the Boston & Maine Railroad system," approved June 1, 1915, being chapter 380 of the Special Acts of Massachusetts for the year 1915; and

WHEREAS, the state of Maine has passed an act similar in its essential features, entitled "An Act for reorganization or consolidation of the railroad companies constituting the Boston & Maine Railroad system," approved April 1, 1915, being chapter 180 [186] of the Private Acts of Maine for the year 1915; and

WHEREAS, the object of said legislation is to permit the Boston & Maine Railroad and its subsidiary companies and all parties interested therein to effect such adjustment of their several relations as shall preserve the integrity of the Boston & Maine Railroad system and tend to re-establish the system on a sound and stable financial basis, and enable it to do justice to its investors, and adequately perform its duties as a public carrier; and

WHEREAS, the public good and the interests of the people of this state require the rehabilitation of the Boston & Maine Railroad and its consolidation with the lines of railroad leased directly to it and demand such concurrent legislation as seems suitable and appropriate at this time; and

WHEREAS, to carry out such object a plan of reorganization of the Boston & Maine Railroad and the several lines of railroad leased directly to it has been drafted in advance of legislation in this state, which plan, with such modifications as are hereinafter authorized, is hereinafter referred to as the plan and is as follows:

Plan for the Reorganization of the Boston & Maine Railroad  
System.

Plan for the  
reorganization.

First: It is proposed to organize a new railroad corporation with the name Boston & Maine Railroad Company, hereinafter referred to as the new corporation, under the provisions of sections 10, 11 and 12 of chapter 380 of the Special Acts of Massachusetts for the year 1915 and sections 9, 10 and 11 of chapter 186 of the Private Acts of Maine for the year 1915, and such further legislation as may be obtained for the purpose in any state.

Second: Such new corporation shall, under the provisions of section 13 or 16 of said Massachusetts statute and of said Maine statute and under the provisions of any statute of any other state applicable thereto, acquire the property and franchises of the Boston & Maine Railroad, which corporation is hereinafter referred to as the old corporation.

It is proposed that the new corporation shall also, subject to the terms herein contained, acquire by purchase or consolidation all of the property and franchises of the lines now directly leased to the old corporation, being the lines of the Fitchburg Railroad Company, the Boston & Lowell Railroad Corporation, the Connecticut River Railroad Company, The Concord & Montreal Railroad, Lowell & Andover Railroad Company, Manchester & Lawrence Railroad and the Kennebunk & Kennebunkport Railroad, hereinafter called the subsidiary companies; and it shall also, subject to the provisions hereinafter contained, acquire the franchises and property of the Hampden Railroad Corporation.

Suitable provision may be made for the preservation and continuance of the corporate existence of the Boston & Maine Railroad and any or all of the subsidiary companies so long as for any purpose it may be deemed necessary or desirable.

Third: In connection with the acquisition of the property and franchises of the old corporation, the new corporation will assume any outstanding funded or unfunded debt of the old corporation the payment of which is not provided for as a part of the agreement of purchase and sale, and will likewise assume all liabilities incurred by the old corporation in the transaction of its business as a common carrier. It will perform all the duties and obligations of the old corporation in respect to the properties acquired.

If, in the event of a purchase under section 16 of said Massachusetts statute and of section 16 of said Maine statute and of any



other statute of any state applicable thereto, the order of the court should require the payment of the purchase price in cash, the new corporation reserves the right to issue such an amount of its own bonds, notes or other evidences of indebtedness as will equal such proportion of the funded debt of the old corporation as may be paid from the proceeds of such sale.

The new corporation for the purpose of raising new cash will issue, in connection with the acquisition of the property and franchises of the Boston & Maine Railroad, and said subsidiary companies, \$12,324,000 of stock, of which 60%, or \$7,394,400, is to be first preferred and the remaining 40%, or \$4,929,600, is to be convertible preferred stock. It will also issue in lieu of the preferred stock of the old corporation \$3,149,800 of preferred stock, and in lieu of the common stock of the old corporation \$39,505,100 of common stock. All shares of stock will be of the par value of \$100, and the amounts of stock herein referred to represent aggregate par value.

The \$7,394,400 of first preferred stock above referred to will carry dividends at the rate of 6% per annum, and in all other respects will be identical so far as preferences and priorities are concerned with the first preferred stock to be issued to the subsidiary companies, a statement of which is contained in paragraph fifteen hereof.

The convertible preferred stock above referred to will carry cumulative dividends at the rate of 6% per annum, payable semi-annually in preference and priority to the preferred stock herein provided for and to the common stock of the new corporation, and will be convertible at the option of the holder under proper regulations by the board of directors into common stock of the new corporation par for par. In case of liquidation or other distribution of assets the holders of the convertible preferred stock shall be entitled to have paid to them their accrued dividends before any payment is made on account of the par value of any class of stock.

The preferred stock will be entitled to non-cumulative dividends at the rate of 6% per annum, payable semi-annually, and will be entitled to the same rights and preferences over the common stock which the preferred stock of the old corporation has over the common stock of such corporation.

The \$3,149,800 of preferred stock and the \$39,505,100 of common stock above referred to will be issued as fully paid upon the transfer to the new corporation of the property and franchises of the old corporation. The \$12,324,000 of stock above referred to be issued for cash will be issued at par, and the carrying out of this plan is conditional upon \$12,324,000 of new cash being paid into the corporation for this stock.

This \$12,324,000 of stock will be offered for subscription to the stockholders of the old corporation, each common stockholder being

entitled to subscribe to \$30 par value of the new first preferred and convertible preferred stock in the proportion of \$18 of first preferred and \$12 of convertible preferred for each share of common stock owned by him in the old corporation, and each preferred stockholder of the old corporation being entitled to subscribe to \$15 par value of the new first preferred and convertible preferred stock in the proportion of \$9 of first preferred and \$6 of convertible preferred for each share of preferred stock owned by him in the old corporation.

The right to subscribe will be assignable and each stockholder in the old corporation who either himself subscribes for his proportion of this stock or procures a subscription therefor to be made in his behalf will receive without further payment in addition to the stock subscribed for an amount of preferred or common stock in the new corporation equal to the preferred or common stock held by him in the old corporation.

Arrangements will be made with the Purchase Syndicate referred to in paragraph fourteen below so that any stockholder who desires so to do may borrow from the Purchase Syndicate for one year at 6% interest a sum sufficient to pay his subscription, pledging as security for such loan the new first preferred and convertible preferred stock for which he has subscribed and the other stock which he is entitled to receive in place of his present holdings.

Arrangements will also be made with the Purchase Syndicate by which such syndicate will at the request of any common stockholder assume his subscription to the new first preferred and convertible preferred stock upon the payment by such stockholder to the syndicate of \$5 per share in cash for each share of common stock held by him, or upon the assignment by him to the syndicate of an amount of common stock of the new corporation equal to 20% of his holdings in the old corporation; and will also at the request of any preferred stockholder of the old corporation assume his subscription to the new first preferred and convertible preferred stock upon the payment by such stockholder to the syndicate of \$2.50 per share in cash for each share of preferred stock held by him, or upon the assignment by him to the syndicate of an amount of preferred stock of the new corporation equal to 10% of his holdings in the old corporation. Any stockholder, however, will have the right to assign his subscription to or have his subscription assumed by parties other than the Purchase Syndicate if he so desires.

Rights to subscribe to the new stock to be issued for cash will be represented by assignable warrants, which will call for a payment upon subscription equivalent to \$5 per share for each share of common stock and \$2.50 per share for each share of preferred stock of the old corporation held by the stockholder in whose name the

warrant is issued, which payment shall be credited upon the stockholder's subscription.

Common stockholders who neither subscribe for their portion of the new stock to be issued for cash nor procure subscriptions thereto to be made in their behalf will receive seventy one-hundredths shares of common stock of the new corporation for each share of common stock held by them in the old corporation, and preferred stockholders who neither subscribe for their portion of the new stock to be issued for cash, nor procure subscriptions thereto to be made in their behalf, will receive eighty-five one hundredths shares of preferred stock for each share of preferred stock held by them in the old corporation.

Fractional shares will be represented by scrip certificates, which will bear neither interest nor dividends, but will entitle the holder to a full share or shares when presented with other scrip certificates together calling for one full share or any multiple thereof.

The \$12,324,000 to be received for the \$12,324,000 of stock to be issued for cash and the proceeds realized from the sale of any preferred or common stock not taken in exchange by the preferred and common stockholders of the old corporation shall be applied so far as necessary and as soon as may be to making part payment of the purchase price of the property and franchises of the old corporation, to the payment of any of the unfunded debt of the old corporation outstanding on the 31st day of March in the year 1915, and of the necessary expenses incidental to the purchases or consolidations herein provided for and the necessary underwriting commissions as hereinafter specified and to such other lawful corporate purposes as the directors of the new corporation may determine and the state commissions having jurisdiction shall approve. The short term notes and unfunded debts of the subsidiary companies shall be paid as soon as reasonably may be from the proceeds of the new bonds provided for in paragraph twelve or from any other funds available therefor.

Fourth: If the Fitchburg Railroad Company assents to the plan, the new corporation will acquire all the franchises and assets of the Fitchburg Railroad Company and will in consideration thereof—

(a) Assume all the outstanding obligations of every nature of the Fitchburg Railroad Company, including therein (but not thereby limiting the same to the matters hereinafter recited) its indebtedness and other liabilities and its leases from the Vermont and Massachusetts Railroad Company and the Troy and Bennington Railroad Company.

(b) Issue to the Fitchburg Railroad Company or order for distribution among its preferred stockholders \$18,860,000 par value of the first preferred stock of the new corporation, this being one share of such new first preferred stock for each share of the present

outstanding preferred stock of the Fitchburg Railroad Company. Such first preferred stock will carry dividends at the rate of 5 per cent. per annum, that being the rate at present payable under the lease of the Fitchburg Railroad Company, and in all other respects will have the same preferences and priorities as the first preferred stock proposed to be issued to the subsidiary companies as set forth in paragraph fifteen.

No payments will be made to the common stockholders of the Fitchburg Railroad Company as this stock is entirely owned either by the Fitchburg Railroad Company itself or by the Boston and Maine Railroad.

Fifth: If the Boston and Lowell Railroad Corporation assents to the plan, the new corporation will acquire all the franchises and assets of the Boston and Lowell Railroad Corporation, and will in consideration thereof—

(a) Assume all the outstanding obligations of every nature of the Boston and Lowell Railroad Corporation, including therein (but not thereby limiting the same to the matters hereinafter recited) its indebtedness and other liabilities and its leases from other corporations, the principal leases being those from the Nashua and Lowell Railroad Corporation, Stony Brook Railroad Corporation, Wilton Railroad Company, Peterborough Railroad, The Connecticut and Passumpsic Rivers Railroad Company, Massawippi Railway Company and the Northern Railroad.

(b) Issue to the Boston and Lowell Railroad Corporation or order for distribution among its stockholders \$7,117,500 par value of the first preferred stock of the new corporation, this being one share of such new first preferred stock for each share of the present outstanding stock of the Boston and Lowell Railroad Corporation, except the stock which is to be cancelled as provided below. Such first preferred stock will carry dividends at the rate of 8 per cent. per annum, that being the rate at present payable under the lease of the Boston and Lowell Railroad Corporation, and in all other respects will have the same preferences and priorities as the first preferred stock proposed to be issued to the subsidiary companies as set forth in paragraph fifteen.

\$561,900 par value of the stock of the Boston and Lowell Railroad Corporation is owned by the Boston and Maine Railroad, and will be cancelled in connection with this transaction.

Sixth: If The Concord and Montreal Railroad assents to the plan, the new corporation will acquire all the franchises and assets of The Concord and Montreal Railroad and will in consideration thereof—

(a) Assume all the outstanding obligations of every nature of The Concord and Montreal Railroad, including therein (but not thereby limiting the same to the matters hereinafter recited) its indebtedness and other liabilities and its leases from the Nashua



and Acton Railroad, Suncook Valley Railroad, New Boston Railroad Company, Franklin and Tilton Railroad and Pemigewasset Valley Railroad, and including also the performance of the obligations of the Concord Railroad Corporation contained in the indenture between that corporation and the Concord and Portsmouth Railroad dated May 20, 1862.

(b) Issue to The Concord and Montreal Railroad or order for distribution among its stockholders \$7,917,100 par value of the first preferred stock of the new corporation, this being one share of such new first preferred stock for each share of the present outstanding stock of The Concord and Montreal Railroad, except the stock to be cancelled as provided below. Such first preferred stock will carry dividends at the rate of 7 per cent. per annum, that being the rate at present payable under the lease of The Concord and Montreal Railroad, and in all other respects will have the same preferences and priorities as the first preferred stock proposed to be issued to the subsidiary companies as set forth in paragraph fifteen.

\$333,500 par value of the stock of The Concord and Montreal Railroad is owned by the Boston and Maine Railroad and \$7,000, par value, is owned by the Manchester and Lawrence Railroad, and this stock will be cancelled in connection with the transaction.

Seventh: If the Connecticut River Railroad Company assents to the plan, the new corporation will acquire all the franchises and assets of the Connecticut River Railroad Company and will in consideration thereof—

(a) Assume all the outstanding obligations of every nature of the Connecticut River Railroad Company, including therein (but not thereby limiting the same to the matters hereinafter recited) its indebtedness and other liabilities and its contracts with the Vermont Valley Railroad for the operation of that road and the Sullivan County Railroad.

(b) Issue to the Connecticut River Railroad Company or order for distribution among its stockholders \$3,233,300 par value of the first preferred stock of the new corporation, this being one share of such new first preferred stock for each share of the present outstanding stock of the Connecticut River Railroad Company. Such first preferred stock will carry dividends at the rate of 10 per cent. per annum, that being the rate at present payable under the lease of the Connecticut River Railroad Company, and in all other respects will have the same preferences and priorities as the first preferred stock proposed to be issued to the subsidiary companies as set forth in paragraph fifteen.

Eighth: If the Lowell and Andover Railroad Company assents to the plan, the new corporation will acquire all the franchises and assets of the Lowell and Andover Railroad Company, and will in consideration thereof—

(a) Assume all the outstanding obligations of every nature of the Lowell and Andover Railroad Company.

(b) Issue to the Lowell and Andover Railroad Company or order \$625,000 par value of first preferred stock of the new corporation, this being one share of such new first preferred stock for each share of the present outstanding stock of the Lowell and Andover Railroad Company. \$531,300 of such first preferred stock shall carry dividends at the rate of 8 per cent. per annum and \$93,700, par value, of such first preferred stock shall carry dividends at the rate of 10 per cent. per annum, the dividends called for by such stock being equivalent to the present rental applicable for dividends to the stockholders of the Lowell and Andover Railroad Company. Such first preferred stock shall in all other respects have the same preferences and priorities as the first preferred stock proposed to be issued to the subsidiary companies, as set forth in paragraph fifteen.

Ninth: If the Manchester and Lawrence Railroad assents to the plan, the new corporation will acquire all the franchises and assets of the Manchester and Lawrence Railroad, and will in consideration thereof—

(a) Assume all the outstanding obligations of every nature of the Manchester and Lawrence Railroad.

(b) Issue to the Manchester and Lawrence Railroad or order for distribution among its stockholders \$1,000,000 par value of the first preferred stock of the new corporation, this being one share of such new first preferred stock for each share of the present outstanding stock of the Manchester and Lawrence Railroad. Such first preferred stock will carry dividends at the rate of 10 per cent. per annum, that being the rate at present payable under the lease of the Manchester and Lawrence Railroad, and in all other respects will have the same preferences and priorities as the first preferred stock proposed to be issued to the subsidiary companies as set forth in paragraph fifteen.

Tenth: If the Kennebunk and Kennebunkport Railroad assents to the plan, the new corporation will acquire all the franchises and assets of the Kennebunk and Kennebunkport Railroad and will in consideration thereof—

(a) Assume all the outstanding obligations of every nature of the Kennebunk and Kennebunkport Railroad.

(b) Issue to the Kennebunk and Kennebunkport Railroad or order for distribution among its stockholders \$65,000 par value of the first preferred stock of the new corporation, this being one share of such new first preferred stock for each share of the present outstanding stock of the Kennebunk and Kennebunkport Railroad. Such first preferred stock will carry dividends at the rate of  $4\frac{1}{2}$  per cent. per annum, that being the rate at present payable under the lease of the Kennebunk and Kennebunkport Railroad, and in

all other respects will have the same preferences and priorities as the first preferred stock proposed to be issued to the subsidiary companies as set forth in paragraph fifteen.

Eleventh: If the assent of the Hampden Railroad Corporation is obtained, the new corporation will, subject to the approval of the public service commission of Massachusetts as provided in section 18 of the Massachusetts statute, acquire the property and franchises of the Hampden Railroad Corporation and will issue therefor to the Hampden Railroad Corporation or order \$1,660,000 par value of first preferred 5% stock and \$1,400,000 par value of preferred 5% stock. Said first preferred stock shall have the same preferences and priorities, except as to rate of dividends, as the first preferred stock issued to the subsidiary companies, and the 5% preferred stock issued to it shall have the same preferences and priorities, except as to rate of dividends, as the preferred stock amounting to \$3,149,800 to be issued in lieu of the present preferred stock of the Boston & Maine Railroad.

In connection with such purchase and as a part of the consideration thereof all claims of the Hampden Railroad Corporation against the Boston & Maine Railroad and of the Boston & Maine Railroad against the Hampden Railroad Corporation shall be released and all outstanding debts and obligations of the Hampden Railroad Corporation shall be effectually discharged and extinguished by the Hampden Railroad Corporation so that the new corporation shall not, either under the provisions of section 18 of the Massachusetts statute or otherwise, be compelled to pay any other sum or give any further value therefor. If it is legally impossible to carry out the provisions of this section, there may be substituted for them such other provisions as may be agreed upon between the Hampden Railroad Corporation and the Boston & Maine Railroad, *provided* that the modified agreement does not increase the burden on the new corporation or its shareholders.

Twelfth: For the purpose of funding the present floating debt of the old corporation and the subsidiary companies and providing additional money for the purpose of paying for additions and improvements necessary to be made, the new corporation will issue \$12,500,000 of 5% bonds.

Thirteenth: If the new corporation acquires all the franchises and property of all the companies above mentioned, its original capitalization will be as follows:

First preferred stock:

To Fitchburg Railroad Company—5% . . . . .	\$18,860,000
“ Boston and Lowell Railroad Company—8% . . . . .	7,117,500
“ The Concord and Montreal Railroad—7% . . . . .	7,917,100
“ Connecticut River Railroad Company—10% . . . . .	3,233,300
“ Lowell and Andover Railroad—10% . . . . .	93,700

To Lowell and Andover Railroad—8%.....	\$531,300
“ Manchester and Lawrence Railroad—10%.....	1,000,000
“ Kennebunk and Kennebunkport Railroad—4½%.....	65,000
“ Hampden Railroad Corporation—5%.....	1,660,000
For cash—6%.....	7,394,400

Total first preferred stock to be issued.....	\$47,872,300
Convertible preferred—for cash.....	\$4,929,600

## Preferred stock:

Corresponding to Boston and Maine Railroad preferred stock—6%.....	\$3,149,800
To the Hampden Railroad Corporation—5%.....	1,400,000
Total preferred stock to be issued.....	\$4,549,800

## Common stock:

Corresponding to Boston and Maine Railroad common stock.....	\$39,505,100
Total stock.....	\$96,856,800

## FUNDED DEBT.

Boston and Maine Railroad.....	\$43,338,000
Fitchburg Railroad Company.....	24,080,000
Boston and Lowell Railroad Corporation.....	6,528,000
The Concord and Montreal Railroad.....	7,223,000
Connecticut River Railroad Company.....	2,259,000
Manchester and Lawrence Railroad.....	274,000
For additional capital for payment of indebtedness and for improvements.....	12,500,000
Total.....	\$96,202,000

Fourteenth: At the request of the reorganization committee, Messrs. J. P. Morgan & Company, Kidder, Peabody & Company, and Lee, Higginson & Company are to form a Purchase Syndicate of which said firms shall be syndicate managers to underwrite the subscription to the \$12,324,000 of new stock to be issued for cash and to purchase the \$12,500,000 of new bonds.

Such new stock being offered for subscription for cash at par to the holders of the present preferred and common stock of the Boston & Maine Railroad, as set forth in paragraph three above, the Purchase Syndicate will at the request of any common stockholder assume his subscription to the new first preferred and convertible preferred stock upon the payment by such stockholder to the syn-



dicate of \$5 per share in cash for each share of common stock held by him, or upon the assignment by him to the syndicate of an amount of common stock of the new corporation equal to 20% of his holdings in the old corporation; and will also at the request of any preferred stockholder of the old corporation assume his subscription to the new first preferred and convertible preferred stock upon the payment by such stockholder to the syndicate of \$2.50 in cash for each share of preferred stock held by him or upon the assignment by him to the syndicate of an amount of preferred stock of the new corporation equal to 10% of his holdings in the old corporation.

In the case of all common stockholders who neither subscribe themselves nor procure subscriptions to be made for them nor have their stock valued in the manner referred to in paragraph seventeen hereof, and, at the request of the reorganization managers, in the case of all stockholders who do have their stock so valued, the Purchase Syndicate will assume their subscriptions and will pay to the corporation the sum of \$5 per share in respect of the holdings of such stockholders in the old corporation, and will receive therefor in addition to the first preferred and convertible preferred stock, for which the syndicate has so subscribed, an amount of common stock equal to 30% of the holdings of such non-subscribing stockholders.

In the case of all preferred stockholders who neither subscribe themselves nor procure subscriptions to be made for them nor have their stock valued in the manner referred to in paragraph seventeen hereof, and, at the request of the reorganization managers, in the case of preferred stockholders who do have their stock so valued, the Purchase Syndicate will assume their subscriptions and will pay to the corporation the sum of \$3.50 per share in respect of the holdings of such preferred stockholders in the old corporation, and will receive therefor in addition to the first preferred and convertible preferred stock, for which the syndicate has so subscribed, an amount of preferred stock equal to 15% of the holdings of such non-subscribing preferred stockholders.

The Purchase Syndicate will also loan for one year at 6 per cent. interest to any stockholder of the Boston and Maine Railroad who may so request a sum sufficient to pay his subscription, receiving as security for such loan the new first preferred and convertible preferred stock for which such stockholder has subscribed and the other stock which he is entitled to receive upon making such subscription.

The Purchase Syndicate will likewise purchase from the corporation at such price as may be agreed upon between the reorganization managers hereinafter referred to, the directors of the corporation and the syndicate managers \$12,500,000 of new bonds to be issued for the purposes set forth in paragraph twelve.

The syndicate managers shall receive the sum of \$750,000 which shall be in full compensation for the services and the risks assumed by the Purchase Syndicate and for the services of the syndicate managers in connection with the reconstruction and reorganization of the Boston and Maine Railroad system, but they shall be reimbursed for their expenses, excluding any expense of marketing securities, but including all legal expense incurred in connection with the reorganization.

Fifteenth: The first preferred stock to be issued to the subsidiary companies and the first preferred stock to be issued for cash shall be entitled to cumulative dividends at the respective rates hereinbefore specified and as regards such dividends shall have priority over any other stock of the new corporation. In case of liquidation or other distribution of assets of the corporation the holders of the first preferred stock shall be entitled to have paid to them their accrued dividends before any accrued dividends are paid to the holders of the convertible preferred stock and before any payment is made on account of the par value of any class of stock.

The first preferred stock shall have the further preference that no lease or contract for the entire operation of any railroad other than those at present operated as part of the Boston and Maine Railroad system or controlled by it or by any subsidiary by means of stock ownership, calling for an annual payment of more than one hundred thousand dollars, shall be entered into without a vote in approval thereof of two-thirds in interest of the first preferred stock outstanding at the time.

No stock, whatever the rate of dividend thereof, having preferences or priorities in any respect the same as or superior to those of the first preferred stock to be issued upon the organization of the new corporation as herein provided for, shall thereafter be issued either under the provisions of chapter 380 of the Special Acts of Massachusetts for the year 1915 or under any other existing or future law without a vote approving such issue of two-thirds in interest of the first preferred stock outstanding at the time.

The certificates of stock shall contain provisions embodying the rights and preferences set forth in this plan.

Sixteenth: The stockholders of the various companies which assent to the plan of reorganization will be requested to deposit their stock with the stockholders' committees representing their respective companies. The expenses of the stockholders' committees and of the reorganization managers, hereinafter referred to, will be borne by the new corporation.

Seventeenth: In case any stockholder of the Boston & Maine Railroad or of any of the subsidiary companies shall dissent from the terms of the purchase or sale and shall become entitled upon a valuation of his stock under the provisions of law of any state to receive compensation therefor in cash, the new corporation shall be

liable for all sums which may become so due and payable and, in such case, if the dissenting stockholder be a stockholder of the Boston & Maine Railroad, the new corporation shall be entitled to such of the new stock as would have been deliverable to him had he become a subscriber for his proportionate amount of new stock, and, if the dissenting stockholder be a stockholder of any subsidiary company, the new corporation shall be entitled to such of its stock as would have been deliverable to him had he exchanged his stock share for share, and shall have the right to sell such shares for cash at such price as may be obtainable.

Eighteenth: The terms of this plan, are subject to the approval of all public bodies whose approval is required by law and to the extent to which such approval is so required.

Nineteenth: It shall be a condition of this agreement that the trustees appointed by decree of the U. S. district court for the southern district of New York to take over the stock of the Boston Railroad Holding Company, with respect to such stock and the stock of the Boston & Maine Railroad controlled by them and such stock of the new corporation as may come under their control, shall carry out the provisions of the decree of said court dated October 17, 1914, and such other decrees as may be made by said court providing for the termination of the interest in the Boston & Maine Railroad of the New York, New Haven & Hartford Railroad Company or of any person or persons, corporation or corporations, representing such company.

Twentieth: All unpaid legal or other expenses incurred by the Boston & Maine Railroad or by any subsidiary company or by any of their duly authorized officers, directors or committees incidental to the efforts to reorganize the Boston & Maine Railroad system from the inception thereof, shall be paid by the new corporation. Such expenses, and also the expenses for which the syndicate managers are to be reimbursed as provided in paragraph fourteen hereof, shall be subject to the approval of the district court of the United States for the district of Massachusetts where receivership proceedings against the Boston & Maine Railroad are pending.

Twenty-first: The board of directors of the new corporation shall consist of not less than fifteen nor more than twenty-one members, of whom two at least shall be residents of Maine, one at least of Vermont and four at least of New Hampshire.

Twenty-second: There shall be a board, to be called the reorganization managers, which shall consist of seven members of whom three shall be chosen by the directors of the Boston & Maine Railroad and one each by the directors of the Fitchburg Railroad Company, the Boston & Lowell Railroad Corporation, The Concord & Montreal Railroad and the Connecticut River Railroad Company. The reorganization managers may act by a majority and shall have full authority to determine and declare when this plan shall be

deemed operative, to make such changes as they see fit in the names of the various classes of stock herein provided for and in general to prescribe the details and methods of procedure necessary for its execution, and to carry it out.

Twenty-third: The foregoing plan is conditioned upon the acquisition by the new corporation of the property and franchises of all the several lines mentioned in the second paragraph of the second section hereof.

Twenty-fourth: The foregoing plan contemplates the formation of a new corporation to carry out its provisions; this being essential if it is deemed impracticable by the directors of the Boston & Maine Railroad to carry out the plan through the medium of that corporation; but if it is deemed practicable by them, this plan may be carried out through the medium of the existing Boston & Maine Railroad corporation by having it acquire through purchase or consolidation the property and franchises of the subsidiary companies and make a reduction and a subsequent increase in its capital stock in the manner authorized by the statute of Massachusetts and the statute of Maine referred to in the first paragraph hereof. *provided, however*, that in such event the capitalization of the Boston & Maine Railroad shall be adjusted both as to stock, bonds and other obligations so as to be the same in all respects as that proposed for the new corporation, and that the amount of new money raised and the rights of the stockholders of the subsidiary companies shall be in all respects the same as those set forth in this plan, and that all its substantive provisions shall be fully carried out.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The Boston & Maine Railroad and the following named corporations hereinafter referred to as the subsidiary companies, namely, the Fitchburg Railroad Company, the Boston & Lowell Railroad Corporation, the Connecticut River Railroad Company, The Concord & Montreal Railroad, the Lowell & Andover Railroad Company, the Manchester & Lawrence Railroad, and the Kennebunk & Kennebunkport Railroad may as herein provided in accordance with the foregoing plan unite either by purchase or consolidation into a single corporation to be known as the Boston & Maine Railroad Company, hereinafter referred to as the new corporation; but if it is deemed more practicable the subsidiary companies may unite by sale or consolidation with the existing Boston & Maine Railroad corporation forming a reorganized corporation which will continue to be known as the Boston & Maine Railroad; and for the purpose of carrying out the plan with such modifications therein as may be agreed to by the Boston & Maine Railroad and the subsidiary companies and approved by the public service commission of New Hampshire as being in the public inter-

Certain railroads authorized to unite. Approval of public service commission required.



est each of said corporations and the new corporation if formed shall have the powers set forth in the legislation of Massachusetts and of Maine hereinbefore referred to, subject, however, to the provisions and restrictions of this act.

New corporation,  
authorized when;  
how to be organ-  
ized. Directors.  
Powers and  
duties.

SECT. 2. If the directors of the Boston & Maine Railroad shall deem it impracticable to carry out the plan through the medium of the existing Boston & Maine Railroad corporation they may by vote declare that such new corporation is necessary. The incorporators or organizers thereof shall be designated by the board of directors of the Boston & Maine Railroad and shall be not less than fifteen in number, of whom four shall be citizens of New Hampshire nominated by the supreme court. Such designated organizers shall file in the office of the secretary of state a written agreement of association which shall set forth (a) that the subscribers associate themselves with the intention of forming a railroad corporation to be named the Boston & Maine Railroad Company; (b) a brief description of the property of the Boston & Maine Railroad and of its subsidiary companies proposed to be acquired; (c) the amount of the original capital stock of the new corporation which, except as is otherwise provided herein, may equal but shall not exceed the amount of the outstanding capital stock of the Boston & Maine Railroad and the subsidiary companies acquired; (d) the par value of the shares, which shall be one hundred dollars (\$100); (e) the names and residence of at least five of the organizers who shall act as directors until others are chosen and qualified in their stead, of whom one at least shall be a citizen of New Hampshire, one at least a citizen of Maine, and one at least a citizen of Massachusetts. The directors shall appoint a clerk and treasurer who shall hold their respective offices until the clerk and treasurer of the new corporation are chosen and qualified in their stead, and said directors may fill any vacancy in their board or in the office of clerk or treasurer before the election of officers pursuant to the provisions of the by-laws. When it is shown to the satisfaction of the public service commission of New Hampshire that the requirements of this act preliminary to the incorporation of such new railroad corporation have been complied with, they shall make a certificate to that effect which shall thereupon be filled by the directors in the office of the secretary of state who shall receive and record the same, and shall thereupon without the requirement of a charter fee issue a certificate of incorporation substantially in the form prescribed by section 14, chapter 156 of the Public Statutes, except that in stating the purposes of the corporation the language of the certificate shall be changed to express the facts. Such certificate duly signed and sealed shall have the force and effect of a special charter as provided in said section 14. Further proceedings for the organization of said corporation shall be in accordance with section 15 of the aforesaid chapter. The said corporation shall have all the pow-

ers and privileges and be subject to all the restrictions and limitations of the general law except as herein otherwise expressly provided, and if an agreement of association of the same purport as that entered into under this act is signed and filed by the same persons in the states of Maine and Massachusetts, and if similar or analogous proceedings are had thereon in said states under requirements similar or analogous to the foregoing provisions, then said corporation may be organized at a meeting held in either of the states and the corporation established in this state and the other corporation or corporations shall be deemed one corporation for general purposes existing in each of the states, whose business shall be conducted by one board of directors. Subsequent meetings of the corporation may be held and its records may be kept in any one of the three states. Until the stock of said new corporation has been issued and a meeting has been held and officers duly elected in accordance with the provisions of the by-laws of said new corporation the incorporating directors thereof may exercise all the powers of the corporation including those usually vested in the stockholders.

SECT. 3. The new corporation if formed may acquire the property and franchises of the Boston & Maine Railroad subject to its debts and liabilities and all stock issued by it in accordance with the plan in lieu of stock of the Boston & Maine Railroad shall be deemed to be fully paid for by the transfer to it of such property and franchises subject to such debts and liabilities, and such corporation may acquire by purchase or consolidation the property and franchises of the subsidiary companies and assume the debts and obligations thereof and may issue stock and bonds to the amount and of the classes specified in the plan and may do all things necessary for carrying it out, and all stocks so issued shall be deemed to be fully paid and shall be disposed of as therein provided. If the plan is carried out through the medium of the existing Boston & Maine Railroad such corporation may reduce and subsequently increase its capital stock in the manner referred to in paragraph twenty-four of the plan and may as provided in the plan acquire by purchase or consolidation the property and franchises of the subsidiary companies and assume the debts and obligations thereof and may issue stock and bonds to the amount and of the classes specified therein and do all things necessary for carrying it out, and all stocks so issued shall be deemed to be fully paid and shall be disposed of as therein provided. *Provided, however,* that no plan or contract of union is permitted or authorized which will call for an initial issue of stocks or bonds to a greater amount of face or par value than that provided for in the foregoing plan, and that no stock, whatever the rate of dividend thereof, having preferences or priorities in any respect the same as or superior to those of the first preferred stock to be issued in accord-

New corporation authorized to acquire the property under the plan, when and how. Procedure.

ance with the foregoing plan shall thereafter be issued under the provisions of any existing or future law without a vote approving such issue of two-thirds in interest of the first preferred stock outstanding at the time. Any debts or obligations of other corporations assumed by the Boston & Maine Railroad or Boston & Maine Railroad Company under authority of this act shall constitute a direct liability of the corporation assuming the same to the holders of such debts or obligations and may be enforced by direct action by such holders against such corporation.

Assent of whom,  
required. Voting  
regulated.

SECT. 4. No such purchase and sale of the property and franchises of or consolidation with any subsidiary company shall be valid or binding until its terms have been agreed to by a majority of the directors of the subsidiary company and of the Boston & Maine Railroad and shall have been approved at meetings properly called for the purpose by a vote of two-thirds in interest of the stockholders of the subsidiary company present and voting, but in no case by a vote of less than a majority in interest of all the stockholders of such company, excluding in the case of the Fitchburg Railroad Company its common stock from such computation and from such voting, and by a vote of two-thirds in interest of the stockholders of the Boston & Maine Railroad. The provisions of Public Statutes, chapter 149, section 25 relating to voting by proxy and the provisions of Public Statutes, chapter 149, section 19, as amended by chapter 3 of the Laws of 1909, prohibiting the voting by a single stockholder of more than one-eighth of the whole number of shares of the capital stock of a corporation shall not apply to the Boston & Maine Railroad or to any of the subsidiary companies or to any corporation organized under the provisions hereof.

Provision as to  
the Hampden  
Railroad.

SECT. 5. So far as authority from this state may be necessary, the Boston & Maine Railroad, or any new corporation organized under the provisions of this act, is authorized to enter into such contracts with the Hampden Railroad Corporation as are authorized under the Massachusetts act hereinbefore referred to, except that the total amount of stock issued on account of said Hampden Railroad Corporation shall not exceed the amounts mentioned in the foregoing plan, and *provided further* that no preferred stock issued for this purpose shall be superior in point of preference to the first preferred stock issued to any subsidiary company under the provisions of this act.

Dissenting stock-  
holder, rights of.

SECT. 6. In case of any purchase or sale of property and franchises or contract of consolidation made by the Boston & Maine Railroad or by any subsidiary company under the provisions of this act (unless in accordance with some order of court), the rights of any stockholders of the purchasing, selling or consolidating corporation who do not vote in favor of such purchase, sale or consolidation and who afterwards dissent therefrom, shall be regulated, protected and determined as is provided in sections 28 to 37

of chapter 156 of the Public Statutes, both inclusive. The purchasing or consolidating company shall be entitled to retain the stock which would have been deliverable to such non-assenting stockholder, or in case of purchase, if said stock has been delivered to the selling corporation, it shall be entitled to a re-delivery of such stock as would have been delivered to such non-assenting stockholder and may dispose of such stock in either of the ways prescribed in the plan and any deficit arising from the difference between the proceeds of such sale and the amount paid such dissenting stockholder shall be debts properly capitalizable under the provisions of the general law.

SECT. 7. The Boston & Maine Railroad, or in the event of the formation of a new corporation, the Boston & Maine Railroad Company, shall maintain an office and an assistant treasurer in the state of New Hampshire. There shall also be four resident directors in the state of New Hampshire.

SECT. 8. No stock or bonds shall be issued under the authority herein granted until the public service commission of New Hampshire after notice and a public hearing shall have certified that the proposed issues may lawfully be made under the provisions of this act, and, in the case of bonds, that the price at which they are to be issued is reasonable. Except as provided in section 1 hereof no approval of said commission shall be required of the plan, or the separate contracts or terms thereof made with any subsidiary companies for the purchase and sale of properties and franchises or for consolidation; but no such contract shall be valid or binding and no payment or obligation shall be made or incurred thereunder until said commission shall have certified that the obligations of such contract are not inconsistent with the provisions of this act. Whenever application is made to said commission for the approval of any act done or proposed to be done under the authority hereof or by the new or reorganized corporation, said commission may hold such joint hearings for the taking of evidence and such conference in regard to conclusions with the public service commission of Massachusetts and the public utilities commission of Maine or with either of said commissions as may be deemed necessary or expedient, *provided* similar or analogous action is authorized by legislation in said states or either of them. If the receivership proceedings shall be terminated before reorganization is effected, the legal and other expenses provided for by the twentieth clause of the plan hereinbefore set forth shall be paid by the Boston and Maine Railroad or the new corporation only after the public service commission shall have certified that they are just and reasonable.

Whenever application shall be made to the public service commission under the provisions of this act for the issuance of any certificate or for the approval of any act done or proposed to be done, whether by the Boston and Maine Railroad or by said new

Office, and assistant treasurer, and four directors, to be in N. H.

Stocks and bonds, issuance of, to be only after approval of public service commission. Procedure.



corporation, the petitioner shall pay as costs the expenses incurred by the commission in attending or holding any hearing or conference thereon, or for attorneys, experts or accountants whose services the commission may require in connection with any such hearing or conference, or in making any investigation preliminary to passing upon such application.

Except as herein provided, corporation to be subject to general railroad law.

SECT. 9. Except as otherwise provided herein, the reorganized Boston & Maine Railroad, or the new corporation if formed, shall be and remain subject to all the provisions of the general railroad law.

Bonds and notes, to be legal investment for N. H. savings bank, when, and for how long.

SECT. 10. Bonds and notes of the Boston & Maine Railroad or of the new corporation if formed shall be legal investments for savings banks until June 30, 1918, *provided* that in each of the two years next preceding such investment the net income of the company shall have been not less than two million dollars and not less than one and one-half times the annual interest on the obligations in question and all other obligations of corresponding or prior lien. After June 30, 1918, the securities of the Boston & Maine Railroad, to be legal investments for savings banks, must meet the requirements of the law now in force controlling investments of savings banks.

Corporate existence of subsidiary companies and B. & M. continued for certain purposes.

SECT. 11. The corporate existence of any or all of the subsidiary companies, and the Boston & Maine Railroad if a new corporation is formed, may be continued so long as for any purpose it may be deemed necessary or desirable, and in the distribution of railroad taxes by the state treasurer under the provisions of Public Statutes, chapter 64, section 13, paragraph II as amended by chapter 55, section 1 of the Laws of 1909, the corporate existence of said railroads shall be treated as if existing with their present capitalization, except that the capitalization of the Boston & Maine Railroad shall be increased by the amount of the stock issued for cash. Holders of stock in the reorganized company or the new corporation, if formed, shall make return to the tax assessors in their respective towns or cities whether the stock held by them is stock of the Boston & Maine Railroad or stock issued in lieu thereof or whether it is stock issued in lieu of the old stock of a subsidiary company, naming such company and each new certificate of stock issued by authority hereof unless issued for cash shall have printed thereon the name of the stock in lieu of which it was issued.

Repair and construction shops in N. H. to be maintained, and proportionate part of the work done here.

SECT. 12. It will be a condition to the exercise of the rights, privileges and franchises granted herein that the repair and construction shops within this state maintained by the Boston & Maine Railroad, or any of the subsidiary companies, shall not be discontinued, or the number of employees thereat materially diminished and that a proportionate part of the repair and construction work of the reorganized Boston & Maine Railroad or the new corporation

if formed shall be done within this state, such proportionate part to be based upon the relation between locomotive and car miles operated within this state and upon the system as a whole.

SECT. 13. The authority granted by the foregoing provisions of this act shall expire on March 15, 1919, unless prior to such time the reorganization or consolidation shall have been effected.

SECT. 14. This act shall take effect upon its passage and may be repealed, altered or amended.

Authority created hereby to cease on March 15, 1919, unless reorganization or consolidation effected by that time.  
Takes effect on passage; right to repeal, etc., reserved.

[Approved April 19, 1917.]

CHAPTER 368.

AN ACT TO INCORPORATE THE UNION VILLAGE WATER-WORKS COMPANY.

SECTION

- 1. Corporation created.
- 2. Capital stock.
- 3. Annual and special meetings.
- 4. May hold property. May utilize high-ways for laying pipes, etc.
- 5. Eminent domain, power of, extended to.
- 6. Authorized to sell and supply water, etc. Authority to borrow money and issue bonds.

SECTION

- 7. Certain municipalities authorized to contract for water supply; and to buy this charter.
- 8. Company to be subject to the public service commission.
- 9. First meeting, how called.
- 10. Takes effect on passage. Right to repeal, etc., reserved.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That J. Frank Farnham, William M. Lord, Howard A. Beacham, Isaac L. Lord, of Wakefield, N. H., and Fred H. Farnham of Winchester, Mass., their associates, successors and assigns, shall be, and are hereby made a body politic and corporate. by the name of the Union Village Water-Works Company, for the purpose of bringing water into the village of Union, in the town of Wakefield, for domestic and mechanical purposes, the extinguishment of fires, and such other purposes as may be deemed necessary and proper; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Corporation created.

SECT. 2. The capital stock of said corporation shall consist of such number of shares of one hundred dollars each as may be from time to time determined by the directors of said corporation, not exceeding in the whole the sum of twenty-five thousand dollars.

Capital stock.

Annual and special meetings.

SECT. 3. The annual and all special meetings of the corporation shall be held at such times and places, and upon such notice as may be provided by the by-laws of the corporation, and such officers and agents may be chosen as therein provided.

May hold property. May utilize highways for laying pipes, etc.

SECT. 4. Said corporation is empowered to purchase and hold, in fee simple or otherwise, any real and personal estate necessary for the carrying into effect the purposes of this act, and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, passageway, or highway through which it may be deemed necessary for the pipes, hydrants, aqueduct and water-works of said corporation to pass, be or exist, for the purpose of placing said pipes, hydrants, aqueduct, and water-works, and such other material as may be deemed necessary for building said aqueduct and water-works, and to relay, repair and change the same, subject to such regulations as to the safety of the citizens and security of the public travel as may be prescribed by the selectmen of said Wakefield.

Eminent domain, power of, extended to.

SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, rivers or ponds in the southerly part of said Wakefield, or in the adjoining town of Middleton; also to bore for subterranean waters, and to secure the same by fences or otherwise, to erect, construct, and maintain such dams, reservoirs and buildings as may be necessary for such water-works, and aqueduct, and dig ditches and make excavations and reservoirs through, over, in, or upon any land or enclosure through which it may be necessary for the pipes and water to pass, said excavations, reservoirs, aqueduct, buildings and water-works to be or exist, for the purpose of obtaining, holding, preserving or conducting said water, and placing such pipes, other materials or works as may be necessary for building or operating such aqueduct and water-works, or repairing the same; *provided* if it shall be necessary to enter upon and appropriate any streams, springs or ponds, or any land for the purpose aforesaid, under the provisions of this or the preceding section, or to raise or lower the level of the same, and if the corporation shall not agree with the owners for the damage that may be done by said corporation, or if such owners shall be unknown, said corporation may petition the public service commission for such right and easements or for permission to take such lands or other property as may be needed for said purposes; and the proceedings on such petition shall be in accordance with the provisions of the general law relating to the taking of lands and rights and easements therein by public utilities. The provisions of this act shall not be so construed as to allow the taking by eminent domain of the property of any existing electric light, water or power company.

Authorized to sell and supply water, etc. Authority to

SECT. 6. Said corporation may contract with individuals and corporations for supplying them with water, and establish such

regulations and rents for the use of water as may from time to time be deemed proper; under the supervision of the New Hampshire public service commission; and said corporation is authorized to borrow money to defray the cost of such aqueduct and water-works, and to issue their notes or bonds therefor, and to secure the same by mortgage of all of their estate.

SECT. 7. Said town of Wakefield, or any fire district organized in the village of Union, is hereby authorized and empowered to make contracts with said corporation for a supply of water and the establishment of hydrants for the extinguishment of fires, and other necessary and proper uses, and to lease or purchase their franchise, works, structures and estate of any kind whatever, and to raise and appropriate money for such purposes, and to borrow or hire money therefor on the credit of said town or district, and may issue notes and bonds therefor, first being instructed to do any of said things in the same manner as is prescribed for the appropriation of money by towns in chapter 40, section 4, of the Public Statutes. Said town of Wakefield, or said fire district, when organized, is further authorized or empowered to purchase this charter of the incorporators, at any time before any business is done hereunder, for a sum not to exceed two hundred dollars.

SECT. 8. Nothing in this act shall be construed to exempt the corporation hereby created from the supervision of the public service commission in respect to capitalization, engaging in business in territory already served by other utilities, character of service, rates for service or in any other particular, but said corporation shall be in all respects subject to the supervision as if incorporated under the general law providing for the formation of voluntary corporations.

SECT. 9. Any two of the corporators named in this act may call the first meeting of the corporation, by giving or mailing a notice in writing to each of said corporators of the time and place of meeting, five days previous to said meeting, and at said meeting, or any adjourned meeting thereof or at any subsequent meeting, duly called, associates may be admitted and all proper officers chosen, the number of shares fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the purposes of this act.

SECT. 10. This act shall take effect upon its passage, and the legislature may alter, amend or repeal the same whenever the public good requires.

[Approved April 19, 1917.]



## CHAPTER 369.

AN ACT TO AUTHORIZE THE CAPITAL FIRE INSURANCE COMPANY TO INSURE AGAINST MARINE DISASTER, BOMBARDMENT, EXPLOSION, NAVIGATION AND TRANSPORTATION HAZARDS AND DAMAGE OR LIABILITY RESULTING TO OWNERS OF MOTOR VEHICLES FROM THEFT, COLLISION OR OTHER CASUALTY.

## SECTION

1. Authority.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Authority.

SECTION 1. In addition to the powers now possessed by law by The Capital Fire Insurance Company, said company is hereby authorized and empowered to make and effect insurance on vessels, cars or other vehicles, freight, goods, effects and money loaned on bottomry or respondentia, against loss or damage resulting from bombardment, explosion (other than the explosion of steam boilers or fly-wheels), from the perils of the sea and other perils usually insured against by marine insurance or from the risks and hazards of inland navigation and transportation; and insurance on motor vehicles, their fittings and contents and use and occupancy, against loss or damage resulting from accident, theft, collision or other casualty, and against liability of the owner or user thereof for injury or damage to property caused thereby.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 19, 1917.]

## STATE OF NEW HAMPSHIRE.

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OFFICE OF THE SECRETARY OF STATE.

CONCORD, N. H., September 1, 1917.

I hereby certify that the acts and resolves and changes of names contained in this pamphlet have been compared with the originals in this office and found to be correctly printed.

EDWIN C. BEAN,

*Secretary of State.*



# INDEX.





# INDEX

TO

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# GENERAL INDEX

## TO

# NEW HAMPSHIRE LAWS

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